BILL 2011-21

****** Third Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: David Watson, City Manager

DATE: March 2, 2011

RE: Repealing Drinking in Public for Chamber of Commerce Independence Day Celebration

Issue:

The annual Cameron Chamber of Commerce Independence Day Celebration will be held in Cameron, MO. on July 1 and July 2, 2011. As in the past the Cameron Chamber of Commerce would like to allow the consumption of malt liquor and wine for barbecue contestants and their associates in the public street right-of-ways as defined in a separate Ordinance. They also request the sale and consumption of malt liquor and wine within a designated area of McCorkle Park. This Bill is required as a companion to Bill No.'s 2011-22 and 2011-23 as it allows public consumption. The dates and times of sales and consumption are regulated under the companion Bills.

Recommendation:

Staff recommends that Council approve the attached Ordinance that allows public consumption during designated dates and times within designated areas.

SECOND READING AMENDMENT

After review some changes were needed in the Whereas Section to align with the Ordinance language. This Bill is needed to allow public consumption within the street right of way and McCorkle Park. Because there are companion Bill's that regulate who can consume as well as time and location those description are not needed in this Bill. In order to make these changes and because Council as already read it once a motion to amend is required. The amended language is within the second and third Whereas.

Staff recommends that once amended that Council read the Bill for the second time with the final reading on April 4th.

Bill 2011-21

AN ORDINANCE REPEALING SEC. 6-115. DRINKING IN PUBLIC ALLOWED, OF DIVISION 1. GENERALLY, OF ARTICLE V. ALCOHOLIC BEVERAGES, OF CHAPTER 6 LICENSES AND BUSINESS REGULATIONS OF THE CAMERON CITY CODE

WHEREAS, the annual Independence Day Celebration held in Cameron has entailed operation of a malt liquor garden in McCorkle Park and an Annual Barbeque Contest within the designated street right of ways all in conjunction with the Cameron Chamber of Commerce; and

WHEREAS, Council desires to establish the area limits of operations for events which include the sale and consumption of alcohol in the Park; and

WHEREAS, Council has concluded it is desirable to amend the Ordinance to allow public consumption in defined areas coupled with companion Ordinances that regulate who may consume and for which dates and time periods.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, AS FOLLOWS:

Section 1 Repeal Sec. 6-115. Drinking in public allowed. of Division 1. Generally, of Article V. Alcoholic Beverages, of Chapter 6 Licenses and Business Regulations of the Cameron City Code and enact a new Sec 6-115 as follows:

Sec. 6-115. Drinking in public allowed.

During the Fourth of July Celebration (dates and times to be determined by Council), malt liquor, and wine, as defined by section 6-111, may be sold and consumed during the hours and dates approved by Council, as established by this section, section 6-113 notwithstanding, by licensed vendors at the following public locations, where sale and consumption shall not constitute a violation of section 6-114, drinking in public:

Locations: A designated area in McCorkle Park; and the rights-of-way extending to the centerline adjacent to McCorkle Park of Third Street from Chestnut Street to Cherry Street; Chestnut Street from Third Street to Fourth Street; and Cherry Street from Third Street to Fourth Street; and, Cherry Street full right-of-way from Third Street south to the first alley south of Third Street.

Operation of a "malt liquor garden" on said premises shall not constitute a violation of section 6-114, drinking in public, nor shall it constitute a violation of section 6-116, premises open to public view; obstructing or obscuring interior, each of which said ordinances shall otherwise remain in full force and effect but for the afore described locations and dates.

third reading

Section 2. The Mayor is authorized to sign this Ordinance approving it on behalf of the City.

Section 3. The City Clerk is directed to attest to the Mayor's signature.

Section 4 . This ordinance shall be in full force and effect from and after the date of its passage and approval.

Passed and approved on first reading this 7th day of March 2011.
Passed and approved on second reading this 21st day of March 2011.
Passed and approved on third and final reading this 4th day of April 2011.

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Mayor Dennis M. Clark

ATTEST:

_____
City Clerk

third reading