BILL 2011-23

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

AGENDA ITEM

TO: Mayor and City Council
FROM: David Watson, City Manager
DATE: March 2, 2011
RE: Annual 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. The Cameron Jaycees have requested to operate a "malt liquor garden" in a designated area of McCorkle Park as described in exhibit one. The Cameron Jaycees will be operating the "malt liquor garden" in cooperation with the Cameron Chamber of Commerce. The Cameron Jaycees would like to limit the public consumption of alcoholic beverages to a specific time commencing on Friday July 1, 2011 at 5:00 p.m. until/to July 1, 2011 at 11:00 p.m. and July 2, 2011 from/at 5:00 p.m. until/to July 2, 2011 at 11:00 p.m.

It is staff's understanding that the Cameron Chamber has limited the actual sales to 10:30 p.m. so that consumption can be completed by 11:00 p.m. on both days.

Over the past two years, staff has received numerous concerns from citizens who have had to go through the "malt liquor garden" to access other areas of the park or the "taster's choice table". We attempted last year to reach an acceptable compromise that could be agreed to by the Jaycees and the City. However, because of language describing the location in last year's Ordinance, a compromise was not attainable. That language issue is corrected this year and the Chamber has instructed the Jaycees to move their area east of the diagonal sidewalk. This move coupled with moving the "Taster's Choice Table" outside of the "Garden" should address most of the concerns shared with staff.

Recommendation:
Staff recommends that Council direct the Mayor to sign an Ordinance to allow the Cameron Jaycees to operate a "malt liquor garden" during the Chamber of Commerce Independence Day celebration.

SECOND READING AMENDMENTS
The Cameron Jaycee's who are not serving malt liquor or wine would request permission to consume said beverages in their food preparation/cooking area. This area is outside of the designated "malt liquor garden" and must be added to this Bill to be allowed. Only Jaycee members will be allowed and they cannot consume under the Special Events regulation if serving in the "Malt Liquor garden". This change can be made by amendment. The change is in the location description.

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

Bill 2011-23

AN ORDINANCE STATING EXCEPTIONS TO SECTION 6-115. DRINKING IN PUBLIC ALLOWED, OF DIVISION 1. GENERALLY, OF ARTICLE V. ALCOHOLIC BEVERAGES OF CHAPTER 6, LICENSES AND BUSINESS REGULATIONS WITH RESPECT TO PUBLIC SALE AND CONSUMPTION OF MALT LIQUOR AND WINE WITHIN THE CITY OF CAMERON, MISSOURI AND ENACTING A NEW SECTION 6-115 THEREIN (Fourth of July)

WHEREAS, the Fourth of July celebration will be held in the City of Cameron from July 1, 2011 through July 2, 2011; and

WHEREAS, vendors duly licensed and authorized, intend to establish defined venues for public sale and consumption of malt liquor and wine; and

WHEREAS, the City of Cameron recognized the necessity of limiting public sale and consumption of alcoholic beverages of all types to well-defined areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cameron, Clinton and DeKalb Counties, Missouri, as follows:

Section 1. Section 6-115 of Article V. Alcoholic Beverages, of Chapter 6, Licenses and Business Regulations of the City of Cameron Code is hereby repealed.

Section 2. A new section 6-115 shall be enacted as follows:

Sec. 6-115. Drinking in public allowed.

During the Fourth of July Celebration, July 1-2, 2011, malt liquor and wine, as defined by Section 6-111, may be sold and consumed during the hours of opening and closing of premises established by Section 6-113 by licensed vendors at the following public location, where sale and consumption shall not constitute a violation of Section 6-114. Drinking in Public:

Location: A designated area in McCorkle Park as described in Exhibit 1 and by Cameron Jaycee's in their adjacent food preparation area.

Hours of Operation: Friday July 1, 2011 from 5:00 p.m. until 11:00 p.m. and Saturday July 2, 2011 from 5:00 p.m. until 11:00 p.m.

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

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said ordinances shall otherwise remain in full force and effect but for the afore described locations and dates.

Section 3. The Mayor is authorized to sign this Ordinance.

Section 4. The City Clerk is directed to attest to the Mayor's signature.

Section 5. 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

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