ORDINANCE NO. 19592

AN ORDINANCE introduced by Councilmember John Alcala authorizing the sale, consumption and possession of alcoholic liquor as part of the 2011 Fiesta Mexicana at specified locations and times.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. Authorization is given to barricade a portion of Atchison Avenue between NE Chandler and NE Lake Streets and NE Chandler Street between Greeley Street and Atchison Avenue from July 12, 2011, through July 16, 2011, between the hours of 4:00 p.m. and 11:59 p.m. Attendance to the celebration is open to the public between these hours. Licensed retailers may sell non-alcoholic commodities or food from July 12, 2011, and July 16, 2011, between the hours of 4:00 p.m. and 11:59 p.m.

Section 2. The barricaded portion of Atchison Avenue between Chandler and NE Lake Streets and NE Chandler Street between Greeley Street and Atchison Avenue shall be temporarily removed from the City’s right-of-way and exempt from the provisions of K.S.A. 41-719(c). Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all applicable state laws and municipal ordinances sell alcoholic liquor in the specific area designated by the division of Alcohol Beverage Control within the barricaded portion of Atchison Avenue between Chandler and NE Lake Streets and NE Chandler Street between Greeley Street and Atchison Avenue from July 12, 2011, and July 16, 2011, between the hours of 4:00 p.m. and 11:59 p.m.

Section 3. Event attendees may buy, possess and consume alcoholic beverages in the specific area designated by the division of Alcohol Beverage Control within the
barricaded portion of Atchison Avenue between Chandler and NE Lake Streets and NE Chandler Street between Greeley Street and Atchison Avenue from July 12, 2011, and July 16, 2011, between the hours of 4:00 p.m. and 11:59 p.m.

Section 4. The Fiesta Mexicana is hereby granted a temporary special event retailers permit to sell, offer, and serve cereal malt beverages for consumption on the premises pursuant to K.S.A. 41-2703, as amended.

Section 5. The Fiesta Mexicana is hereby approved as a special event as required by K.S.A. 41-2645, as amended.

Section 6. This Ordinance shall be null and void on July 17, 2011.

Section 7. This Ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the Governing Body June 21, 2011.

CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk