

BILL NO. 20-040

ORDINANCE NO. 19126

AN ORDINANCE AMENDING SECTION 2.10.021 OF THE INDEPENDENCE CITY CODE TO ALLOW ALCOHOL TO BE CONSUMED ON CERTAIN PUBLIC PROPERTY IN ENGLEWOOD BUSINESS DISTRICT PURSUANT TO AN AGREEMENT.

WHEREAS, in 2017, the City Council amended the City Code to allow alcohol to be consumed on certain public property in the Englewood Business District and the Independence Square; and,

WHEREAS, the Englewood Business District was limited to use certain public property only during the 3<sup>rd</sup> Friday Art Walks; and

WHEREAS, the proposed amendment would allow the consumption of alcohol on certain public property in the Englewood Business District pursuant to an agreement between the City and the Englewood Business District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. Such that Section 2.10.021 of the City Code of the City of Independence, Missouri, is hereby amended to read as follows:

SEC. 2.10.021. POSSESSION OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY PROHIBITED

A. No person shall possess any open container of any alcoholic beverage nor shall any person consume or drink any alcoholic beverage on public property within the City of Independence, including but not limited to any public building, street, alley, sidewalk, public lot, park, recreational facility or public facility, except as provided in this section.

B. The prohibition in this section shall not apply to the possession or consumption of alcoholic beverages within premises licensed to sell alcoholic beverages by the drink properly located on public property pursuant to the liquor license of the holder.

C. The prohibition in this section shall not apply to the possession or consumption of malt liquor and wine in or at the following public facilities where the City or lessor of the facility has authorized the possession or consumption of malt liquor and wine at the facility pursuant to an approved written agreement setting forth all terms and conditions for said possession or consumption of malt liquor and wine:

1. The Bingham-Waggoner Estate.
2. The Vaile Mansion.
3. The Roger T. Sermon Community Center.
4. The National Frontier Trails Museum.
5. City Hall West Parking Lot (During Santa-Cali-Gon Only).
6. The Truman Depot.
7. The Truman Memorial Building.
8. The Bass Pro Building.
9. The Independence Events Center.

10. The public areas of the Englewood Business District, that being the street, sidewalks and right-of-way along and abutting East Winner Road from the eastern right-of-way line of South Northern Blvd. to the western right-of way line of South Sterling Avenue, ~~on the third Friday of each month from 4:00 p.m. until 11:59 p.m.~~ **pursuant to a written agreement between the City and a civic organization promoting the interests of the businesses on the Englewood**

**Business District.**

11. The public areas of the Independence Square, that being the streets, sidewalks and public lots from the eastern right-of-way line of Spring Street to the eastern right-of-way line of Lynn Avenue and from the southern right-of-way line of Truman Road to the northern right-of way line of Kansas Avenue pursuant to a written agreement between the City and a civic organization promoting the interests of the businesses on the Independence Square.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

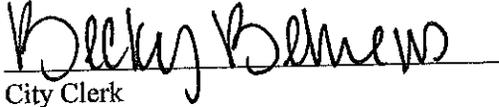
SECTION 3. That all other parts and provisions of the Independence City Code shall be in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS 1<sup>ST</sup> DAY OF June, 2020, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

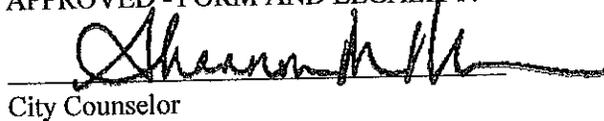


Presiding Officer of the City Council  
of the City of Independence, Missouri

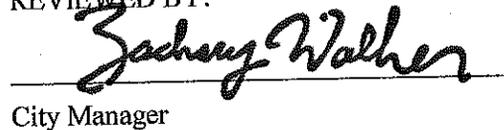
ATTEST:

  
City Clerk

APPROVED - FORM AND LEGALITY:

  
City Counselor

REVIEWED BY:

  
City Manager

Bryan Kidney  
Director of Finance and Administration  
City of Independence, Missouri

**NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.**