

ORDINANCE NO. 49-840

AN ORDINANCE AMENDING SECTION 4.04.045 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO EXEMPTION OF CERTAIN PUBLIC PROPERTY WITHIN THE CITY FROM THE PROHIBITION AGAINST CONSUMPTION OF ALCOHOLIC LIQUOR THEREON BY VIRTUE OF THE AUTHORITY CONTAINED IN K.S.A. 41-719, AND REPEALING THE ORIGINAL OF SAID SECTION.

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

SECTION 1. Section 4.04.045 of the Code of the City of Wichita, Kansas shall read as follows: “**Exemptions.** (a) The city, by virtue of the authority contained in K.S.A. 41-719 and amendments thereto, exempts the following properties from any prohibition against consumption of alcoholic liquor on public property contained in K.S.A. 41-719 and amendments thereto, and in Sections 4.04.040, 4.16.020 and 4.16.030 of this Code: CityArts, the education building of the Wichita Area Treatment Education and Remediation (WATER) Center, Sports Hall of Fame, Lionel Alford Regional Library, Wichita-Sedgwick County Historical Museum, Century II, the Wichita Mid-Continent Airport, Colonel James Jabara Airport, Cowtown, the Wichita Art Museum, Mid-America All-Indian Center, Lawrence-Dumont Stadium, the Central Branch Wichita Public Library, the Kansas Aviation Museum (Historic Wichita Municipal Airport), Botanica -- the Wichita Gardens, the Hyatt Regency Wichita Hotel and Conference Center, Exploration Place, the Ice Sports Center of Wichita, the Wichita Boathouse, and the La Familia Senior Community Center, Inc. located at 841 W. 21st St. North.

(b) The city, by virtue of the authority contained in K.S.A. 41-719 and amendments thereto, exempts the following properties from any prohibition against consumption of alcoholic liquor on public property contained in K.S.A. 41-719 and amendments thereto, and in Sections 4.04.060, 4.16.020 and 4.16.030 of this Code: the Old Town Farm and Art Market, Nomar International Market, the Old Town Cinema Plaza, the vacant property located at 642 N. Seneca as described in a lease approved by the Wichita City Council on June 19, 2007 between the City of Wichita and the Kansas African American Museum, Inc., any open public property, that is owned by the City of Wichita and is located within the area bounded on the north by the south curb line of Douglas Avenue from the west curb line of Washington Avenue to the east bank of the Arkansas River, thence south to a line designated by the north edge of the Kellogg Flyover, thence east to the west curb line of Washington Avenue and thence north to the south curb line of Douglas Avenue to the point of origin, and the Douglas River Corridor Open Space which shall include the public property along the east bank of the Arkansas River extending north for 510 feet from a line designated by the north edge of the Douglas Avenue Bridge and abutting the Drury Plaza Hotel Broadview property line on the east and encompassing the Douglas River Corridor Gazebo and the paved walkway immediately to the north thereof. Provided, however, these properties referred to in this subsection shall be considered exempted only under the following circumstances:

(1) when either a community event or temporary entertainment district has been approved by the City Council, or

(2) when the written consent of the city manager or the manager's designee has been obtained if an activity does not require a community event permit, and

(3) when a license for the sale of alcohol has been issued if such license is necessary.”

SECTION 2. The original of Section 4.04.045 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 3. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon adoption and publication in the official city newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this 14th day of October, 2014.

Carl Brewer, Mayor

Attest:

Karen Sublett, City Clerk

Approved as to Form:

Sharon L. Dickgrafe, Interim City Attorney
and Director of Law