

ORDINANCE NO. 23-3431

AN ORDINANCE AMENDING SECTION 5-202 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, PERTAINING TO THE CONSUMPTION OF ALCOHOL ON CITY-OWNED PROPERTY.

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

SECTION ONE. Section 5-202 of the City Code of the City of Abilene, Kansas, be amended to read as follows:

5-202 CONSUMPTION ON CITY PROPERTY.

- (a) Pursuant to K.S.A. 41-719(e), and amendments thereto, the City hereby exempts all property, now or hereafter acquired, the title of which is vested in the City, from the provisions of Section 5-201, and it shall be lawful to drink or consume alcohol on such property, or portions thereof, when authorized and permitted by the City Manager or designee.
- (b) The City Manager, or designee, shall approve, deny, or approve with conditions, all requests for alcohol consumption on City property as defined in subsection (a), within five (5) days of receiving a complete application. The City Manager shall have the authority to establish application forms, procedures, conditions, and necessary regulations to ensure the safe consumption of alcohol on City-owned property.
- (c) Any person dissatisfied by the action or decision of the City Manager, or designee, to approve or deny a request for alcohol consumption on City property under this section shall have the right to appeal such action or decision to the City Commission within fifteen (15) days after the notice of the action or decision of the City Manager has been mailed to the person.
- (d) An appeal to the City Commission shall be taken by filing with the city clerk a written statement setting forth the grounds for the appeal.
- (e) An appeal shall be considered at the next City Commission meeting following the city clerk's receipt of the written appeal, but in no event more than fifteen (15) days after the city clerk's receipt of such written appeal. Notice of the time and place of the hearing shall be given to the appellant.
- (f) The City Commission may affirm, overrule, or modify the decision of the City Manager.

SECTION TWO. Existing Section 5-202 is hereby repealed.

SECTION THREE. This ordinance shall be become effective and in full force from and after its passage, adoption and publication in the official City newspaper by the following summary:

Ordinance No. 23-3431 Summary

On July 24, 2023, the City Commission passed Ordinance No. 23-3431. The ordinance amends Section 5-202 of the City Code of the City of Abilene, Kansas, concerning the consumption of alcohol on City-owned property, by specifying that alcohol may be consumed on all property for which the title is vested in the City, when authorized and permitted by the City Manager. The ordinance further establishes a procedure under which any person dissatisfied by a decision of the City Manager may appeal such decision to the City Commission. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas this 24th day of July 2023.



CITY OF ABILENE, KANSAS



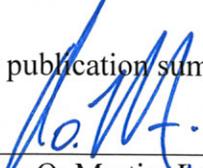
Brandon Rein
Acting Mayor

Attest:



Shayla L. Mohr
City Clerk

The publication summary set forth above is certified this 24th day of July, 2023.



Aaron O. Martin, Legal Counsel