



## Board of Aldermen Request for Action

**MEETING DATE:** 7/18/2023

**DEPARTMENT:** Parks and Recreation

**AGENDA ITEM:** Resolution 1238, Temporary Liquor License – Festiville

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**REQUESTED BOARD ACTION:**

A motion to approve Resolution 1238, issuing a temporary liquor license to Eric Craig Real Estate Team for Festiville to be held in the downtown courtyard on August 19, 2023

**SUMMARY:**

The requested permit will allow the participants to have alcohol (open container) at the event. The event is scheduled from 3:00 p.m. until 1:00 a.m. on Main Street, Bridge Street and Church Street. Street closure will begin at 9:00 a.m. for set-up.

Per City Ordinance 600.070 (G &H) the Board of Aldermen may grant a Special Event Permit to allow drinking in public.

The event coordinators may utilize the following businesses as food and alcohol vendors:

- KoZak's Laketown Grill
- Chops BBQ and Catering
- Humphreys Bar and Grill
- Smithville Town Tavern
- The Thirsty Chariot (Mobile Liquid Catering Co.)

**PREVIOUS ACTION:**

Temporary Liquor License was approved for this event in July 2022.

**POLICY OBJECTIVE:**

N/A

**FINANCIAL CONSIDERATIONS:**

N/A

**ATTACHMENTS:**

- |   |                                   |
|---|-----------------------------------|
| <input type="checkbox"/> Ordinance  | <input type="checkbox"/> Contract |
| <input checked="" type="checkbox"/> Resolution  | <input type="checkbox"/> Plans    |
| <input type="checkbox"/> Staff Report   | <input type="checkbox"/> Minutes  |
| <input checked="" type="checkbox"/> Other: Ordinance 600.070 (G &H) and Event Application |                                   |

## **RESOLUTION 1238**

### **A RESOLUTION APPROVING A TEMPORARY LIQUOR LICENSE FOR ERIC CRAIG REAL ESTATE TEAM FOR FESTIVILLE IN THE DOWNTOWN COURTYARD ON SATURDAY, AUGUST 19, 2023**

**WHEREAS**, Eric Craig Real Estate Team has submitted an application with all required fees and documentation; and,

**WHEREAS**, local and outside businesses will supply the food and beverages for a fee to the participants in a vendor location using their State and City licenses to sell food and alcohol; and,

**WHEREAS**, the applicant has submitted a map of the area and will monitor the area that will allow open consumption of alcohol in accordance with city code; and,

**WHEREAS**, Smithville police officers will assist in providing security at the event.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT A TEMPORARY LIQUOR LICENSE BE ISSUED TO ERIC CRAIG REAL ESTATE TEAM FOR FESTIVILLE TO BE HELD SATURDAY, AUGUST 18, 2023. IN ACCORDANCE WITH THE PLAN APPROVED BY THE CHIEF OF POLICE.**

**PASSED AND ADOPTED** by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, on the 18<sup>th</sup> day of July 2023.

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Damien Boley, Mayor

ATTEST:

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Linda Drummond, City Clerk

## **600.070 (G & H )**

### *G. Drinking In Public Places Prohibited.*

1. For purposes of this Section, the term "public place" shall mean any public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot, except in those areas above granted a special event permit.
2. No person shall drink or ingest any intoxicating liquor or non-intoxicating beer in or on any public place.
3. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while in or upon any public place.
4. No person shall possess or have under his/her control any unsealed glass, bottle, can or other open container of any type containing any intoxicating liquor or non-intoxicating beer while within or on any motor vehicle while the same is being operated upon, or parked or standing in or upon any public place. Any person operating a motor vehicle shall be deemed to be in possession of an open container contained within the motor vehicle he/she has control of whether or not he/she has actual physical possession of the open container.

### *H. Special Event Permit.* The Board of Aldermen may grant a special event permit for purposes as identified in Section 600.070(G)(1), above, and under the following conditions:

1. An application must be filed with the Chief of Police that describes the applicant's name and business or interest in the event; the name(s) and contact information of any or all liquor license holders who will be involved in such event; the public street, highway, alley, sidewalk, thoroughfare or other public way of the City, or any parking lot to be included in the event area; the beginning and ending time of such event, and the telephone contact of the person in charge of and present at the event.
2. The estimated number of participants in the event shall be provided to the Chief of Police, and the applicant shall pay all costs of security needed as a result of the event to ensure compliance.

[1] Editor's Note: Former Section 600.070, which derived from RSMo. §§311.280, 311.340, 311.600, 311.330, 311.310, 312, 400; Ord. No. 2255-04 §1, 3-16-2004, was repealed 6-21-2011 by Ord. No. 2790-11 §1.