

**RESOLUTION NO. 19-1034**

**A RESOLUTION TEMPORARILY EXEMPTING A CERTAIN PORTION OF AN OLATHE PUBLIC STREET FROM THE PROHIBITIONS ON POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE ON PUBLIC PROPERTY IN THE CITY OF OLATHE, KANSAS.**

**WHEREAS**, K.S.A. 41-719(a)(1) and O.M.C. 7.02.040(A) generally prohibit consumption of alcohol on public streets, alleys, roads, or highways; and

**WHEREAS**, K.S.A. 41-719(a)(2) allows alcohol to be consumed at a special event held on public streets, alleys, roads, sidewalks, or highways when a temporary permit has been issued pursuant to K.S.A. 41-2645, which allows cities to grant such a temporary permit by resolution; and

**WHEREAS**, the Governing Body of the City of Olathe desires to permit the sale and consumption of alcohol at the Fourth Friday Events on May 24, June 28, and July 26, 2019 between 5:00 PM and 8:30 PM on such days.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE:** Pursuant to K.S.A. 41-2645(e)(1), the written request by the Olathe Chamber of Commerce for a special event which includes consumption and possession of alcohol held at the location depicted in **Exhibit A** between 5:00 PM and 8:30 PM on May 24, June 28, and July 26, 2019 is hereby approved.

**SECTION TWO:** Pursuant to K.S.A. 41-719(a)(2), the fenced area on public streets, alleys, roads, or sidewalks at the location depicted red in **Exhibit A** is hereby exempted from the requirements of K.S.A. 41-719(a)(1) and O.M.C. 7.02.040(A) from 5:00 PM to 8:30 PM on May 24, June 28, and July 26, 2019. During such time, persons who may legally consume alcohol may do so within the boundaries of such public property for the limited time as prescribed. The fenced area on the public streets, alleys, and roads at the location depicted in **Exhibit A** will be closed to vehicle traffic for the entire duration of the event.

**SECTION THREE:** Temporary permits may be issued either individually or on behalf of any groups or organizations associated with the event, subject to all applicable State statutes and City ordinances.

**SECTION FOUR:** The boundaries of the special event depicted in red in **Exhibit A** shall be clearly marked by signs and barriers identifying the area in which alcohol may be possessed or consumed at such special event. No drinking will be allowed in vehicles. Any licensed seller of alcohol shall ensure that no one under the age of 21 is

## ATTACHMENT A

served alcoholic liquor. The Olathe Chamber of Commerce will provide adequate security for the event. Attendees shall comply with all alcohol laws of the City and State.

**SECTION FIVE:** This Resolution shall take effect immediately.

**ADOPTED** by the Governing Body this \_\_\_\_ day of \_\_\_\_\_ 2019

**SIGNED** by the Mayor this \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Attorney

May



## LEGEND



Music



Beer Garden



Car Show



Food Trucks




Art Installation

June/July



LEGEND

 Beer Garden

 Vendor Booths

 Food Trucks

 Band & Seating