

First Published in the Wichita Eagle June 29, 2018

Ordinance No. 50-804

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 is hereby amended to 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 Section 4.04.040 of this Code and amendments thereto: CityArts, the education building of the Wichita Area Treatment Education and Remediation (WATER) Center, Sports Hall of Fame, Advanced Learning Library and grounds, Westlink, Evergreen, Ford Rockwell and Lionel Alford Regional Branch Libraries and grounds, Wichita-Sedgwick County Historical Museum, Century II, the Wichita Dwight D. Eisenhower National Airport, Colonel James Jabara Airport, Cowtown, the Wichita Art Museum building and grounds, Mid-America All-Indian Center building and grounds, Lawrence-Dumont Stadium and parking lot, the Central

Branch Wichita Public Library, the Kansas Aviation Museum (Historic Wichita Municipal Airport), Botanica -- the Wichita Gardens all buildings and grounds, the Hyatt Regency Wichita Hotel and Conference Center, Exploration Place building and grounds, the Ice Sports Center of Wichita building and grounds, the Wichita Boathouse building and grounds, the La Familia Senior Community Center, Inc. located at 841 W. 21st St. North building and grounds, and the First Tee Building and outdoor patio to be located at 1034 N. Roosevelt.

(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 Section 4.04.060 of this Code and amendments thereto: the Old Town Farm and Art Market, Nomar International Market, the Old Town Cinema Plaza, A. Price Woodard Park, Naftzger Park, Finlay Ross Park, Heritage Square Park, 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., the Chester I. Lewis Reflection Square Park, 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, and any parking lots, parking garages, or parking facilities of any type that are owned by the City of Wichita and are located within the area bounded on the east by the west curb line of Hillside Avenue, on the north by the south curb line of Central Avenue and then the east curb line of Seneca Street and then the south curb line of McLean Boulevard, on the west by the east curb line of Meridian Avenue, and on the south by a line designated by the north edge of the Kellogg Flyover. Provided, however, unless such property is subject to a lease agreement approved by the Wichita City Council or the Board of Park Commissioners, the properties referred to in this subsection shall be considered exempted only under the following circumstances:

- (1) When either a community event, temporary entertainment district or common consumption area has been approved by the City Council;
 - (2) If an activity does not require a community event permit, when the written consent of the City Manager or the Manager's designee has been obtained, or if park property when the written consent of the Director of Park and Recreation or the Director's designee has been obtained;
 - (3) When a license for the sale of alcohol has been issued if such license is necessary, or when licensed caterer has provided the required notification for the premises pursuant to K.S.A. 41-2643 and amendments thereto;
- and

- (4) Any property subject to a lease agreement as set forth above shall be considered exempt at any time and the conditions upon which consumption of alcoholic liquor is allowed shall be subject to the control of the applicable lessee.”

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 its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 26th day of June, 2018.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to Form:

Jennifer Magaña, City Attorney and
Director of Law