

ORDINANCE NO. 4208

AN ORDINANCE AMENDING SECTION 4-33 OF THE CODE OF
THE CITY OF WELLINGTON, KANSAS, AS IT PERTAINS TO PUBLIC CONSUMPTION

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

SECTION I

That Section 4-33 of the Code of the City of Wellington, Kansas, shall be amended to read as follows:

- a) Except as provided in subsection b) of this section, it shall be unlawful for any person to possess an open container or to consume any cereal malt beverage upon any sidewalk, public street, alley or any other public place within the city. No opened or unopened container of any cereal malt beverage shall be thrown upon or otherwise deposited upon any public sidewalk, street, alley or parking of the city.

- b) The provisions of subsection a) of this section shall not apply to the following locations:
 - 1. Woods Park; except, consumption of cereal malt beverage is prohibited on the dam on Slate Creek in Woods Park, and to the area within 100 feet of the dam.
 - 2. Lots 23 and 24, Block 59, Original Town, City of Wellington, Sumner County, Kansas, a.k.a. 121 N. Washington, Wellington, Kansas, so long as a license and/or permit to retail cereal malt beverages has been issued to a qualified applicant covering the aforementioned property.
 - 3. Within the confines of Hibbs-Hooten Field in Sellers Park, so long as a license and/or permit to retail cereal malt beverages has been issued to a qualified applicant covering the aforementioned property.
 - 4. Any other locations as may be designated by state statute and/or city ordinance or resolution, including but not limited to permitted special event, catered event and/or common consumption areas, as set forth in 2016 Supp. K.S.A. 41-719, K.S.A. 41-2645 and any amendments thereto, as well as any other areas designated as common consumption area, special event and/or catered event, designated by ordinance or resolution.

SECTION II

That this ordinance shall take effect and be in force from and after its passage and approval and after its publication in the official city newspaper, as approved by law.

PASSED by the governing body of the City of Wellington, Kansas, this 6th day of June, 2017.

APPROVED by the Mayor.

Shelley R. Hansel, Mayor

(SEAL)

ATTEST:

Carol S. Mericle, City Clerk

FORM APPROVED:

Shawn DeJarnett, City Attorney