

Proposed by Finance Department

BILL NO. 4089

Introduced by Councilman Reed

ORDINANCE NO. 4272

AN ORDINANCE AMENDING SECTION 600.060 OF THE CODE OF ORDINANCES, CITY OF BLUE SPRINGS, MISSOURI, TO ADD SUBSECTION O DEFINING A LICENSE FOR A TEMPORARY LOCATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, AS FOLLOWS:

Section 1: That Sections 600.060 of the Code of Ordinances, City of Blue Springs, Missouri, is hereby amended to add a Subsection O, said Subsection shall read as follows:

“O. Retailers Selling Intoxicating Liquor By The Drink at a Temporary Outdoor Location (Caterers).

1. *Name.* A temporary license for the privilege of selling, by a caterer or other person within the City, at retail intoxicating liquors with an alcoholic content of more than five percent (5%) by weight for consumption on the premises where sold at a temporary function.

2. *Qualifications.* A temporary license under the terms of this Subsection may be issued to caterers and other persons or entities holding the City and State licenses necessary to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this Chapter, for the purpose of furnishing provisions and service for use at a particular function, occasion or event at a particular location other than the licensed premises which is outdoors and is enclosed by a rope, chain, barricade or other device which creates an enclosed space, for a period not to exceed twenty-four (24) consecutive hours. Such temporary license shall authorize the service of alcoholic beverages at such function, occasion or event during the hours at which time alcoholic beverages may lawfully be sold or served upon premises licensed to sell alcoholic beverage for on-premises consumption.

3. *Additional Information.* The dimensions of the enclosed space shall be set forth in the application. If the applicant is not the owner of the enclosed space, the applicant shall provide the City with written evidence that the owner has given permission for the use of the enclosed space for the sale of intoxicating liquors for consumption within the enclosed space.

4. *Fee.* A license under the terms of this Subsection shall be issued to all qualified applicants who comply fully with the provisions of this Chapter, upon payment of a license fee, to the City Finance Director of fifteen dollars (\$15.00) for each calendar day or fraction thereof for which the license is issued.

5. *Applicable Provisions.* All provisions of this Chapter, including, but not limited to, time constraints, shall extend to such enclosed premises and shall be in force and enforceable during all the time that the licensee, its agents, servants, employees, or stock are in such temporary enclosed location. This temporary permit shall not include the sale of packaged goods or the right to take intoxicating liquor off or outside the enclosed premises.

6. *Restriction On Number Of Licenses Available.* There shall be no limit on the number of licenses available under the terms of this Subsection, except that

persons or entities holding the City and State licenses necessary to sell intoxicating liquor by the drink at retail for consumption on the premises may only be licensed for one day in any given calendar week. For the purposes of this Subsection, a week shall begin on Sunday.

7. *Security.* During the time a particular function, occasion or event is open for the business of selling intoxicating liquor, a qualified person shall be designated as Security for the enclosed premises, and that person shall assure compliance with the current "Retailer's Conduct of Business" set forth in 11 CSR 70-2.130 of the Missouri Code of State Regulations. Said person shall be visually identifiable as security. In order to be a qualified person to perform security, that person must either be a Peace Officer or Private Security Officer with a Private Security Officer Permit issued by the City of Blue Springs, as those terms are defined in Chapter 635 of the Code of Ordinances of the City of Blue Springs.

8. *Issuance.* Section 600.080 notwithstanding, Licenses issued pursuant to this Subsection, "O," to persons or entities holding the City and State licenses necessary to sell intoxicating liquor by the drink at retail for consumption on the premises may be approved by the Finance Director or the Finance Director's designate."

Section 2: That in all other respects, Section 600.060 of the Code of Ordinances, City of Blue Springs, Missouri, shall remain as presently enacted.

Section 3: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 2nd day of November, 2009.

Carson Ross, Mayor

ATTEST:

Kathy Richardson, City Clerk

1st reading November 2, 2009
2nd reading November 2, 2009

OamendingSection600.060 11-2-09