

ORDINANCE NO. 884

AN ORDINANCE RELATING TO THE POSSESSION OR CONSUMPTION OF ALCOHOL AND CEREAL MALT BEVERAGES IN MUNICIPAL PARKS; AMENDING SECTION 12-109 (formerly Section 12-110), OF ARTICLE I, CHAPTER 12, OF THE CODE OF THE CITY OF BURLINGTON, KANSAS, WITHIN THE CONFINES AND BOUNDARIES OF MUNICIPAL PARKS WITHIN THE CITY LIMITS OF THE CITY OF BURLINGTON, KANSAS, AND REPEALING ORDINANCE 826.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS.

SECTION 1. That Section 12-109 (formerly Section 12-110), of Article I, Chapter 12, of the Code of the City of Burlington, Kansas, be and the same is hereby amended to read as follows:

Sec. 12-109. Alcoholic liquor or cereal malt beverages.

(a) No person shall possess or consume any alcoholic liquor or cereal malt beverage within the confines and boundaries of any municipal park within the City limits of the City of Burlington, Coffey County, Kansas with the following exceptions where permitted:

(1) Drake Park,

(2) Within the confines of the community buildings (Kelley Hall and 4-H Building) in Kelley Park when a \$15 alcohol permit and a \$100 refundable deposit have been issued upon renting of the building, or

(3) When authorized by the City Council at Kelly Park provided that a permit is issued under K.S.A. Chapter 41.

(b) Violation of any provision of this section is a Class C misdemeanor punishable by fine of not more than five hundred dollars (\$500) or by imprisonment for not more than thirty days, or both.

SECTION 2. REPEAL ORDINANCES 604, 826, AND ANY OTHER ORDINANCES IN CONFLICT. That original Section 12-109 (formerly Section 12-110), of Article I, Chapter 12, of the Code of the City of Burlington, Kansas, be and the same are hereby repealed in its entirety.

SECTION 3. SAVING CLAUSE. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 4. EFFECT. This ordinance shall take effect and be in force from and after its publication in the Coffey County Republican.

PASSED by the Governing Body and APPROVED by the Mayor of the City of Burlington, Kansas, this 16th day of March, 2022



ATTEST:

Anne C. Brown
Anne C. Brown, City Clerk

Robert S. Luke
Robert S. Luke, Mayor

APPROVED AS TO FORM:

Philip Wright
Philip Wright, City Attorney