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Pgs. 6
Filed: 02-06-18

Sponsored by: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL 2018 - 047

GENERAL ORDINANCE _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 10, 'Alcoholic Beverages,' Section 10-
2 62. – 'Exception for general merchandise stores, restaurants, and exempt
3 organizations,' to increase the number of and expand the area, for certain
4 permitted events; amending Chapter 78 – 'Offenses and Miscellaneous
5 Provisions,' Section 78-4. – 'Possession, sale or consumption of alcoholic
6 beverages in public place,' to amend the title of Subsection (c); amending
7 Chapter 106 – 'Traffic and Vehicles,' Section 106-50. – 'Use of City right-
8 of-way during Artsfest'; and including a provision to sunset this Ordinance
9 on December 31, 2018.

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
MISSOURI, as follows, that:

NOTE: Added language is underlined, deleted language is ~~stricken~~.

Section 1 – The Springfield City Code, Chapter 10 – 'Alcoholic Beverages,'
Section 10-62. – 'Exception for general merchandise stores, restaurants, and exempt
organizations,' Subsection (c) is hereby amended as follows:

Sec. 10-62. - Exception for general merchandise stores, restaurants, and exempt
organizations.

(c) Upon prior approval of the City Manager, an exempt organization whose
premises are located in the area bounded by Mill Street, Jefferson Avenue,
Pershing Street and Campbell Avenue may obtain a license for malt liquor
containing alcohol not in excess of five percent by weight and light wines
containing not in excess of fourteen percent of alcohol by weight by the drink at
retail for consumption on the premises where sold.

(1) The exempt organization shall be limited to offering alcohol for consumption
during no more than 12 hours per day and for no more than 3 days per week
and at permitted events. There shall be no more than twelve (12) ~~5~~ permitted

34 events per calendar year for the calendar year 2018. Events where
35 intoxicating liquor is consumed shall be limited to those held by the licensed
36 exempt organization or other exempt organization that has leased or rented
37 the premises from the licensee, except that events held in the Commercial
38 Street area shall be limited to events held by the Commercial Street
39 Community Improvement District or its designee.

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41 (2) An exempt organization described in subsection (c) or its designee may
42 obtain a picnic or caterers license to provide alcohol not in excess of five
43 percent by weight and light wines containing not in excess of fourteen
44 percent of alcohol by weight by the drink at retail.

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46 a. For purposes of ~~Section 10-62(c)(ii)~~ subsections (c)(1) and (c)(2),
47 ~~"premises"~~ permitted events shall be ~~defined as~~ limited to one of the
48 following areas:

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50 (i) ~~the boundary of the area defined as the "Downtown Mall" in section~~
51 ~~82-61; of the Springfield City Code, except that the west portion of the~~
52 ~~mall from Patton Alley to Campbell Avenue shall not be closed and is not~~
53 ~~included as part of the premises subject to use by the exempt~~
54 ~~organization or its designee.~~ ("Downtown Mall");

55
56 (ii) the boundary of the area defined as the "Downtown Mall" in section
57 82-61 with the addition of the following right-of-way: extending east from
58 the west right-of-way line of Jefferson and Park Central East, continuing
59 along St. Louis Street to the west right-of-way line of John Q. Hammons
60 Parkway, and extending west from the east right-of-way line of Campbell
61 Avenue and Park Central West, continuing along College Street to the
62 east right-of-way line of Grant Avenue; and the right-of-way along
63 Jefferson Street from the south right-of-way line of Water Street to the
64 south right-of-way line of Olive Street, and the area including the right-of-
65 way along Jefferson Street from the south right-of-way line of Olive
66 Street to the north right-of-way line of McDaniel Street and adjacent City
67 property to the east ("Route 66 Festival Area");

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69 (iii) the area including the right-of-way along Jefferson Street from the
70 south right-of-way line to Olive Street to the north right-of-way line of
71 Park Central East/St. Louis Street;

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73 (iv) the area including the right-of-way along Walnut Street from the west
74 right-of-way line of National Avenue to the east right-of-way line of
75 Kimbrough Avenue ("Artsfest Area"); and

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77 (v) the area including the right-of-way along Commercial Street from the
78 east right-of-way line of Washington Avenue to the west right-of-way line
79 of Grant Avenue ("Commercial Street Area").

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- b. For purposes of subsection (c)(2), the number of events per year shall be limited as follows:
 - (i) Downtown Mall Area - no more than seven (7) events per year during the calendar year 2018;
 - (ii) Route 66 Festival Area - no more than one (1) event during the calendar year 2018;
 - (iii) Area defined in section 10-62(c)(2)a(iii) – no more than one (1) event during the calendar year 2018;
 - (iv) Artsfest Area - no more than one (1) event during the calendar year 2018; and
 - (v) Commercial Street Area – no more than two (2) events during the calendar year 2018.
- ~~bc.~~ All other portions of sections 82-61—82-65 shall remain in effect during the time the Mall is closed under ~~Section 10-62(c)(ii)~~subsection (c)(2).
- ~~ed.~~ During the duration of the event, the prohibition on open containers and public consumption of alcohol as set forth in section 78-4 shall not be in effect within the ~~areas premises~~ defined in subsection 10-62(c)(2)a above, subject to rules and regulations established by the city manager. Any person found guilty of violating the rules and regulations for the ~~areas premises~~ established by the city manager, and on file with the city clerk, for the premises shall be punished pursuant to City Code Section 1-7 ~~subject to prosecution under section 78-4.~~

Section 2 - The Springfield City Code, Chapter 78 – ‘Offenses and Miscellaneous Provisions,’ Section 78-4. – ‘Possession, sale or consumption of alcoholic beverages in public place,’ Subsection (c) is hereby amended as follows:

Sec. 78-4. - Possession, sale or consumption of alcoholic beverages in public place.

- (c) Exception for sidewalk cafes, ~~premises,~~ and commercial trolley bikes within the Downtown Mall, and permitted event areas exempted for limited duration pursuant to City Code Subsection 10-62(c). The provisions of this section shall not apply to areas that are licensed as sidewalk cafes pursuant to section 58-54 or areas that are approved for alcohol sales and consumption pursuant to subsection 10-62(c) or the passenger area of commercial trolley bikes licensed as required by section 106-612. The exception for commercial trolley bikes applies only while a passenger is in or on the trolley bike. No person shall remove an open container of any alcoholic beverage from a commercial trolley bike and transport, carry, possess or have it on a public way or city parking lot.

126 No person shall remove an open container of any alcoholic beverage from a
127 commercial or retail establishment and carry, possess or have it on a public
128 way or city parking lot while on a commercial trolley bike tour.
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130 Section 3 - The Springfield City Code, Chapter 106 – ‘Traffic and Vehicles,’
131 Section 106-50. – ‘Use of right-of-way during Artsfest,’ Subsection (a) is hereby
132 amended as follows:
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134 Sec. 106-50. - Use of city right-of-way during Artsfest.
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136 (a) Authority to issue permits. In order to protect the public health, safety and
137 welfare, to promote the economy of the city, and to provide an orderly
138 process for the use of limited city right-of-way, the city council hereby
139 delegates to the Springfield Regional Arts Council the right to license all
140 persons using city rights-of-way during the annual Artsfest within those areas
141 described in Section 106-49. This delegation of authority to Springfield
142 Regional Arts Council shall not include a delegation of authority to license the
143 sale of any alcoholic beverages at Artsfest. Such a liquor license may be
144 obtained solely as described in Section 10-62(c).
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146 Section 4 – This Ordinance shall be in full force and effect from and after
147 passage and shall expire and cease to be in effect at midnight on December 31, 2018.
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149 Passed at meeting: _____
150

151 _____
152 Mayor

153 Attest: _____, City Clerk
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156 Filed as Ordinance: _____
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159 Approved as to form: Rhonda Lewsader, Assistant City Attorney
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161 Approved for Council action: Greg Burt, City Manager
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EXPLANATION TO COUNCIL BILL 2018 - 047

FILED: 02-06-18

ORIGINATING DEPARTMENT: Public Information & Civic Engagement

PURPOSE: To amend Springfield City Code, Chapter 10 – ‘Alcoholic Beverages,’ Section 10-62. – ‘Exception for general merchandise stores, restaurants, and exempt organizations,’ to increase the number of and expand the area, for certain permitted events; amending Chapter 78 – ‘Offenses and Miscellaneous Provisions,’ Section 78-4. – ‘Possession, sale or consumption of alcoholic beverages in public place,’ to amend the title of Subsection (c); amending Chapter 106 – ‘Traffic and Vehicles,’ Section 106-50. – ‘Use of City right-of-way during Artsfest’; and including a provision to sunset this Ordinance on December 31, 2018.

BACKGROUND INFORMATION: Each year since 2011, City Council has reviewed a list of proposed events and an ordinance similar to this one. For 2018, the proposed events include nine downtown events, two Commercial Street events, and ArtsFest. This year’s proposed events are:

Downtown:

- Dublin’s Pass St. Pat’s Day Beerfest March 17-18;
- Cinco on the Square – Midwest Radio Event on May 5;
- Child Advocacy Center – Over the Edge Festival on June 2;
- Pridefest on June 16;
- Taste of SOMO on June 23;
- Craft Beer Bash on July 28;
- Octoberfest on September 22 – Midwest Family Radio;
- 1 unnamed event;
- Birthplace of Route 66 Festival – Aug. 10-11; and
- ArtsFest – May 5-6.

Commercial Street:

- White River Brewing Company Birthday Bash – Oct. 6; and
- 1 unnamed event.

Festivals celebrating a variety of food, fun and entertainment offerings are becoming a part of what makes Springfield a great place to live. Besides being fun, well-managed festivals and events offer a host of economic and social benefits to communities.

The benefits are similar to those for tourism: the opportunity to bring communities together and instill a sense of community pride and knowledge of their history. The economic benefits of festivals are the easiest to see and the most often cited. Festivals

attract visitors, which stimulates the growth of tourism and other types of business in a town or region.

The social benefits of festivals are less visible, but just as important. Festivals foster community pride, teach people new things, and strengthen relationships. Residents with community pride are more likely to speak positively about their town to others and to volunteer with organizations and activities that support the common good.

An element common to popular music, food and entertainment festivals is the ability to create a distinct, branded boundary within which all of the fun takes place. In that safe and manageable space, event patrons may enjoy participating in the event's activities, including eating and drinking. These types of activities are extremely popular with millennials and have been requested on numerous occasions in citizen surveys and through other feedback.

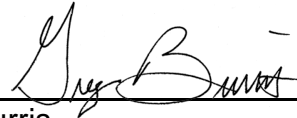
Supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 7, Continue the development and revitalization of center city Springfield.

Submitted by:

Approved by:



Cora Scott,
Director of Public Information
and Civic Engagement



Greg Burris,
City Manager