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Filed:   05-29-18  

Sponsored by:   Ollis  

COUNCIL BILL NO.   2018- 138   RESOLUTION                                   

RESOLUTION

1 GRANTING a license to sell retail liquor by the drink, including Sunday sales, to The  
2 Greene County Agricultural and Mechanical Society, Inc., d/b/a Ozark  
3 Empire Fairgrounds located at 3001 North Grant Avenue, Springfield,  
4 Missouri, such license to include all of the fairgrounds within the perimeter  
5 fencing.  
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8 WHEREAS, The Greene County Agricultural and Mechanical Society, Inc., d/b/a  
9 Ozark Empire Fairgrounds, located at 3001 North Grant Avenue, has filed an  
10 application for a license to sell intoxicating liquor by the drink at retail that includes sales  
11 on Sunday, such license to include all of the fairgrounds within the perimeter fencing;  
12 and  
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14 WHEREAS, pursuant to 10-37(a) of the Springfield City Code, no license shall be  
15 granted for the sale of intoxicating liquor within 200 feet of any school, church, park, or  
16 building regularly used as a place of worship unless the applicant shall first obtain the  
17 consent in writing of City Council; and  
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19 WHEREAS, The Greene County Agricultural and Mechanical Society, Inc., d/b/a  
20 Ozark Empire Fairgrounds' place of business is located within 200 feet of a school,  
21 church, park, or building regularly used for worship.  
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23 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF  
24 SPRINGFIELD, MISSOURI, as follows, that:  
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26 Section 1 – City Council grants The Greene County Agricultural and Mechanical  
27 Society Inc., d/b/a Ozark Empire Fairgrounds, a license to sell intoxicating liquor by the  
28 drink at retail and on Sunday at its location at 3001 North Grant Avenue, Springfield,  
29 Missouri, such license to include all of the fairgrounds within the perimeter fencing.  
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31 Section 2 – This Resolution shall be in effect immediately upon adoption.  
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33 Passed at meeting: \_\_\_\_\_

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\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_, City Clerk

Filed as Resolution: \_\_\_\_\_

Approved as to form: Rhonda Lewaden, Deputy City Attorney

Approved for Council action: Franklin Don Bacon II, City Manager

**EXPLANATION TO COUNCIL BILL 2018 -138**

FILED: 05-29-18

ORIGINATING DEPARTMENT: Finance

PURPOSE: To grant a license to sell retail liquor by the drink, including Sunday sales, to The Greene County Agricultural and Mechanical Society, Inc., d/b/a Ozark Empire Fairgrounds located at 3001 North Grant Avenue, Springfield, Missouri, such license to include all of the fairgrounds within the perimeter fencing.

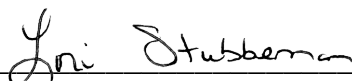
BACKGROUND INFORMATION: Applicant, The Greene County Agricultural and Mechanical Society, Inc., d/b/a Ozark Empire Fairgrounds, applied for a license to sell retail liquor by the drink, including Sunday sales, at its location at 3001 North Grant Avenue, such license to include all of the property within the perimeter fencing of the fairgrounds. Applicant currently has two liquor licenses: one that allows liquor sales in the arena and annex buildings, and one that allows liquor sales in the E-Plex building, including the grandstand and track area. If the new application is approved, the area on Applicant's property in which liquor can be sold will be expanded to include all of the fairgrounds within perimeter fencing.

Applicant's business is located within 200 feet of property owned by Springfield Public School. The school and surrounding property owners have been advised of Applicant's proposed sale of alcohol and did not submit any objections to City staff. Because of the fairground's proximity to another business with a liquor license, Applicant will be required to gross \$50,000 in food sales annually to retain this liquor license, if the license is granted. No enforcement actions have been taken previously against Applicant's existing liquor licenses.

Pursuant to Section 10-37(a) of the Springfield City Code, no license shall be granted for the sale of intoxicating liquor within 200 feet of any church, school, park, or building regularly used as a place of worship unless the applicant shall first obtain the consent in writing of City Council. As a result, City Council must determine whether it will issue a license to this business location. Pursuant to Section 10-3.A, minors will be allowed on the premises when alcohol is being consumed, because Applicant has more than 40 percent of its sales from food prepared on the premises.

Submitted by:

Approved by:

  
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Lori Stubbeman  
Business License Supervisor

  
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Greg Burriss, City Manager