

AN ORDINANCE

amending Chapter 86, Parks and Recreation, Article II, Park Rules and Regulations, by amending Sec. 86-38 Intoxicating liquor prohibited – exceptions; and, Article IV Memorial Hall / Amphitheater by enacting a new section, 86-132, Sale or serving of intoxicating liquor – beer and wine, dealing generally with allowing the sale and/or service of beer and wine at Memorial Hall upon application to and approval of the City Manager or his designee.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Section 86-38 Intoxicating liquor prohibited – exceptions of, Article II, Park Rules and Regulation, of Chapter 86, Parks and Recreation of the Joplin City Code be amended to read as follows:

"Sec. 86-38. Intoxicating liquor prohibited – exceptions.

No intoxicating liquor shall be sold or given away, or be brought into, used or drunk within any of the City Parks, except as provided by section 86-132 of this Code of Ordinances and that alcoholic beverages – beer only, may be sold by the City of Joplin upon the premises of Schifferdecker Golf Course for consumption thereon. Nothing herein shall be construed to, in any way, allow any persons to bring intoxicating liquor or alcoholic beverages of any type whatsoever onto the Golf Course other than that which is purchased on the Golf Course premises from the City licensee."

Section 2. That a new section 86-132, Sale or service of intoxicating liquor – beer and wine, of Article IV, Memorial Hall/Amphitheater of Chapter 86, Parks and Recreation of the Joplin City Code be enacted to read as follows:

"Sec. 86-132. Sale or serving of intoxicating liquor – beer and wine.

1. No intoxicating liquor shall be sold or given away or be brought into, used or drunk upon the premises of Memorial Hall unless such person shall have first received permission therefore from the City Manager or his designee and a permit shall have issued from the Office of the City Attorney. The City Council shall be notified upon the issuance of any such

permit. Any permit so issued shall be issued subject to the statutes, rules and regulations of the State of Missouri. For purposes of this ordinance, intoxicating liquor shall mean beer and wine only. Any person wishing to serve or sell intoxicating liquor upon the premises of Memorial Hall shall apply in writing to the City Manager. Such application shall be filed no later than twenty-one (21) days prior to the event and shall include a description of the event including, but not limited to, whether or not minors will be present, the time and date of the event, and the name, address and contact information for the individual who will be responsible for the event and the sale or serving of intoxicating liquor. Any person wishing to sell intoxicating liquor shall provide liability insurance coverage for the event including the sale of intoxicating liquor which shall name the City as an additional insured. Any applicant receiving a permit as herein described shall in all other ways be subject to the ordinances, rules and regulations of the City including but not limited to the security requirements set forth in section 86-130 of this code.

2. Any person denied a permit to serve or sell alcohol at Memorial Hall may appeal such denial to the City Council. Any such appeal shall be in writing to the City Clerk to be filed not more than ten (10) days following notice of the denial. The City Council shall hear the appeal at its next regular meeting for which notice can properly be given.”

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 17th day of August, 2009.

Gary L. Shaw, Mayor

ATTEST: Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM: Brian W. Head, City Attorney