

BILL NO. 18-006

ORDINANCE NO. 4775

FIRST READING 02.20.2018

SECOND READING 03.06.2018

AN ORDINANCE AMENDING CHAPTER 3, SECTION 3-125 *Public Consumption OF THE MUNICIPAL CODE OF THE CITY OF HANNIBAL, AMENDING SAID ORDINANCE TO INCLUDE AN ADDITIONAL AREA ON BROADWAY BETWEEN THE MISSISSIPPI RIVER AND 10TH STREET*

WHEREAS, the City Council previously passed an ordinance allowing public consumption of alcohol within certain geographic boundaries, provided that the liquor license holder met certain requirements and followed certain rules and regulations, and

WHEREAS, allowing such an expansion of the holder's license terms has not caused problems for law enforcement, and further has been a benefit to the businesses located in that area, and

WHEREAS, liquor license holders outside the original geographic area also express interest in expansion of their license, and the council believes upon investigation that such expansion will not be a burden upon the Citizens of Hannibal and will benefit businesses located in Hannibal.

NOW THEREFORE, the City Council makes the following amendments to CHAPTER 3, Section 3-125 of the Ordinances of the City of Hannibal:

SECTION 1. The city council hereby repeals existing Section 3-125 and replaces it with the following language:

Sec. 3-125. - Public consumption addendum to liquor license.

1. Any holder of a liquor license pursuant to subsection 3-119(1), (3), or (8) of these ordinances may apply for an addendum to their license allowing public consumption of alcohol if they holds such a license for an establishment lying within one of the following areas:

- a. The area bordered on the north by Rock Street, on the east by the Mississippi River, on the south by Collier Street and on the west by Third Street.
- b. Located on Broadway in the area between the Mississippi River and 10th Street.

2. Consumption or possession of alcohol in conjunction with this license shall be limited to a designated area, which shall be clearly marked and delineated. If such area will utilize the public sidewalk, the area shall not be so large as to interfere with the normal passage of foot traffic

on the sidewalk and shall be reasonably calculated to allow the easy and free passage of pedestrians. If the area to be utilized is not directly contiguous with the establishment of the license holder, no alcohol may be carried into the area except by a designated waiter, waitress or server of the license holder. The license addendum shall specifically describe the designated area, and shall be provided upon demand to any police officer, representative, officer or agent of the city, or representative, officer or agent of the Missouri Division of Alcohol and Tobacco Control, investigating any actual, alleged, or perceived violation of this article.

(Ord. No. 4641, § 1, 8-6-2013)

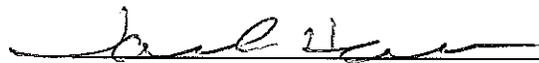
SECTION 2. It hereby is declared to be the intention of the City Council that each and every part, portion and sub-portion of this Ordinance shall be separate and severable from each and every other part, portion or sub-portion hereof and that the City Council intends to adopt each said part, portion or sub-portion separately and independently of any other part, portion or sub-portion. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, portions and sub-portions shall be and remain in full force and effect.

SECTION 3. All ordinances and parts of ordinances in conflict with this ordinance, in so far as they conflict, are hereby repealed.

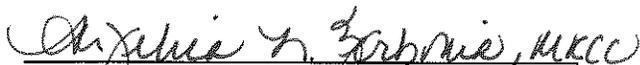
SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval.

Adopted this 6th day of March, 2018.

Approved this 6th day of March, 2018.


James Hark, Mayor

ATTEST:


Angelica N. Zerbonia, MRCC - City Clerk