



Downtown Pittsburg Advisory Board

June 18, 2018 6PM Agenda

Meeting location: Spigarelli Law Broadway St, Pittsburg, KS 66762

OLD BUSINESS

- Confirm 5/21/18 Agenda Minutes
- Updates on the following items:

-B22 Move in Day

-B22 Rumors

-113-117 W. 5th Redevelopment Proposals

- DAB Process (recommendations, voting, transparency, etc)
- Common Consumption

NEW BUSINESS

- Signet Coffee Roasters Mural Request for Approval

OTHER BUSINESS

Any updates???

- Vacancy ordinance/Demolition by Neglect Enforcement
- Historical Building Research
- Encouragement of New Roofs/Sprinklers/Building Maintenance

- Interactive Map Development
- 5th Street Fire Suppression
- 2018 calendar of events (addition of Baja on Broadway)
- Block22 Participation
- Downtown Sensors
- Murals/Public Art
- Parking Lots



Kansas Department of Revenue
Alcoholic Beverage Control Division
915 S.W. Harrison Street
Topeka, KS 66612-1588
Phone: 785-296-7015 Fax: 866-855-5025

Common Consumption Area Permit Application and Instructions

Who can apply for this permit?

Any Kansas resident, city, county, or entity.

What can I do with this permit?

A permitted common consumption area allows for possession and consumption of alcoholic liquor in accordance with the ordinance or resolution.

Requirements to Obtain a Kansas Common Consumption Area Permit:

- A. Common Consumption Area Permit Application and Agreement (ABC-836).
- B. \$100.00 Common Consumption Area Permit Fee.
- C. A copy of the ordinance or resolution authorizing the common consumption area.

Instructions to Complete the ABC-836 Common Consumption Area Permit Application and Agreement:

- A. Permit Type.
 - 1. New Permit. Check the "New Permit" box if you do not have a Kansas Common Consumption Area Permit or if your Kansas Common Consumption Area Permit has been expired for more than 30 days.
 - 2. Renew Permit. Check the "Renew Permit" box to renew your current Kansas Common Consumption Area Permit.
- B. Section 1. Complete the Applicant Information
- C. Section 2. Complete the Common Consumption Area Information
- D. Section 3. Draw a complete diagram of the premises for which you are seeking permit approval or attach your drawing to the ABC-836 form, provided it is not larger than 8½" X 11".
 - 1. The area you are seeking permit approval for must comply with the ordinance or resolution.
 - 2. The diagram must include the physical barriers or line of demarcation of the common consumption area boundary.
- E. Sign and date the Common Consumption Area Permit Application and Agreement form, print your name and title
- F. Complete the attached Common Consumption Area Permit Voucher.
 - 1. New Permit. Check the "New Permit" box, enter the name as it appears on the Common Consumption Area Permit Application and Agreement and check the box to indicate your \$100 Permit Fee is attached.
 - 2. To Renew Permit. Check the "Renew Permit" box, enter your Common Consumption Area Name, Common Consumption Area Permit Number and check the box to indicate your \$100 Permit Fee is attached.
- G. Make your check payable to the "Kansas Department of Revenue" and attach it to the completed Common Consumption Area Permit Voucher below.
- H. Return the original completed Common Consumption Area Permit Agreement, a copy of the ordinance or resolution, the Request to Participate in a Common Consumption Area (ABC-838) and \$100 Common Consumption Area Permit fee to the ABC Licensing Unit.

All approved Common Consumption Area Permits are posted to the ABC Active Liquor Licensee Database on the ABC website. To view your permit information, go to: <https://www.kdor.ks.gov/apps/liquorlicensee/Active.aspx>.

Direct your questions to the Licensing Unit at 785-296-7015 or email to KDOR_ABC.licensing@ks.gov

Detach and Return with Payment

KANSAS ALCOHOLIC BEVERAGE CONTROL DIVISION

Common Consumption Area Permit Fee Voucher

Common Consumption Area DBA Name:	
<input type="checkbox"/> New Permit Attach the following documents: <input type="checkbox"/> Copy of ordinance or resolution. <input type="checkbox"/> \$100 Permit Fee Enclosed (CLPR)	
<input type="checkbox"/> Renew Permit Number:	<input type="checkbox"/> \$100 Permit Fee Enclosed (CLPR)



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COMMON CONSUMPTION AREA PERMIT APPLICATION AND AGREEMENT

☐ New Permit ☐ Renew Permit

SECTION 1 – APPLICANT INFORMATION:			
Entity Type: <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Organization <input type="checkbox"/> Partnership <input type="checkbox"/> Association <input type="checkbox"/> Other:_____			
Organization Name or Individual Applicant Name			FEIN/SSN
Applicant Contact Person		Phone	
Applicant Mailing Address			
City	County	State	Zip Code
Individual Only – Home Street Address			
City	County	State KS	Zip Code
Email Address			
SECTION 2 – COMMON CONSUMPTION AREA INFORMATION:			
<input type="checkbox"/> I have attached a copy of the ordinance or resolution.			
Common Consumption Area DBA Name			
Common Consumption Area Location Address			
City	County	State KS	Zip Code

The above named applicant, does hereby make application for a Common Consumption Area Permit to allow possession and consumption of alcoholic beverages in the designated area. In making this application, the above named Common Consumption Area permit holder agrees that:

- It is liable for violations that occur within the boundaries of the common consumption area. However, licensees within a common consumption area shall be liable for violations of all liquor laws governing the sale and consumption of alcoholic liquor that occurs on the licensee's premises.
- It will not allow any person to remove any open container of alcoholic liquor from the boundaries of the common consumptions area.
- It will abide by all the provisions of the Kansas Liquor Control Act and the Rules and Regulations promulgated thereunder.
- It will abide by all the provisions of the ordinance or resolution.
- It will display the Common Consumption Area Permit on the permitted premises.



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SECTION 3 – COMMON CONSUMPTION AREA DIAGRAM:

Check the appropriate box. The diagram must show your licensed premise and the boundaries of the proposed permitted area where alcoholic liquor will be possessed and consumed.

Check one: ☐ Diagram drawn ☐ 8½" X 11" drawing attached

Under penalties of perjury, I declare the information contained in this document a true, accurate and complete disclosure of information.

Authorized Signature

Date

Printed Name

Printed Title

FOR OFFICE USE ONLY:

☐ \$100 Permit Fee Received Date _____ by _____

ORDINANCE NO. _____

AN ORDINANCE OF ESTABLISHING A COMMON CONSUMPTION AREA AND AUTHORIZING THE POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR WITHIN ITS BOUDARIES.

WHEREAS, in 2017, the Kansas Legislature passed Chapter 85 of the 2017 Session Laws of Kansas, allowing cities to establish a common consumption area, designate the boundaries of the area, to prescribe the times during which alcoholic liquor may be consumed, and to authorize possession and consumption of alcoholic liquor within such common consumption area; and

WHEREAS, the City of Pittsburg ("City") wishes to establish the Downtown Overlay District as a common consumption area with restrictions as to boundaries and times alcoholic liquor may be consumed therein.

WHEREAS, the Downtown Overlay District is defined as follows: 14th Street on the north, Euclid Street on the south, Pine Street on the west and Elm Street on the east. Properties on each sides of the boundary streets are included in the Downtown Overlay District.

WHEREAS, the certain areas of the Downtown Overlay District are intended to be used from time to time as a public gathering place for special events and civic events and the City desires to establish a common consumption area, as further defined herein, to allow the possession and consumption of alcoholic beverages within the Downtown Overlay District during special events and civic events subject to certain rules and regulations

NOW, THEREFORE IT BE OBTAINED BY THE GOVERNING BODY OF THE CITY OF PITTSBURG, KANSAS:

SECTION ONE: In accordance with the New Section 1, Chapter 85 of the 2017 Session Laws of Kansas, and amendments thereto, the Governing Body hereby establishes the Downtown Overlay District as a common consumption area during special events and civic events as designated on the map, attached hereto as Exhibit A and incorporated herein by reference, excluding any and all areas which are currently or otherwise become subject to a license issued pursuant to the Kansas liquor control act or the club and drinking establishment act. During a special event or civic event, the boundaries of the event shall be clearly marked using a physical barrier or any apparent line of demarcation. The public street or roadway that lies within the common consumption area designated for the special event or civic event shall be blocked from motorized traffic during the hours in which alcoholic liquor is consumed.

SECTION TWO: The Governing Body hereby authorizes the possession and consumption of alcoholic liquor in the Downtown Overlay District during a special event or civic event with clearly demarcated

boundaries provided, however, that a common consumption area permit (“Permit”) for Downtown Overlay District has been issued to the City by the State of Kansas, Director of the Division of Alcoholic Beverage Control (“Director”) in accordance with New Section 1, Chapter 85 of the 2017 Session Laws of Kansas, and the amendments thereto. The possession and consumption of alcoholic liquor within the Downtown Overlay District during a special event or civic event is only permitted between the hours of 12:00 pm and 12:00 am. Sunday through Saturday.

SECTION THREE: All alcoholic liquor removed from a licensed premise authorized to participate in the special event or civic event shall be served in a container that displays the licensee’s trade name or logo or other identifying mark that is unique to the licensee.

SECTION FOUR: The possession or consumption of alcoholic liquor purchased outside the boundaries of the special event or civic event in the Downtown Overlay District shall not be permitted inside the boundaries of the special event or civic event within the Downtown Overlay District.

SECTION FIVE: No open container of alcoholic liquor, purchased within the special event or civic event within the Downtown Overlay District, shall be removed from the boundaries of the special event or civic event of the Downtown Overlay District.

SECTION SIX: Inappropriate conduct shall not be permitted within the boundaries of the special event or civic event in the Downtown Overlay District and any person engaging in such inappropriate conduct shall be subject to removal from the event. Inappropriate conduct may include but is not limited to fighting, use of profanity or indecent language, harassment, destruction of property, lewd or lascivious acts, or committing any violation of law or City Code.

SECTION SEVEN: All licensees approved by the ABC to participate in the Public Market CCA shall at all times comply with any and all federal state and City laws or regulations pertaining to the purchase and sale of alcoholic liquor.

SECTION EIGHT: The Governing Body hereby authorizes the City Administrator or his designee to take all reasonably necessary actions, including but not limited to the execution of all the documents of instruments, to obtain a Permit for the Downtown Overlay District on behalf of the City.

SECTION NINE: Subject to receipt of the Permit as described in Section Two, the Governing Body hereby authorizes the City administrator or his designee to establish rules and regulations pertaining to the use of the Downtown Overlay District and activities therein. A copy of the rules and regulations shall be available at the office of the City Clerk during regular business hours and on the website maintained by the city. Any violation of such rules and regulations, any official City signage, state law or regulations, or

the oral direction of any City employee or authorized volunteer shall be grounds for expulsion from the event within the Downtown Overlay District and criminal sanctions or any other remedy available under local, state, or federal laws.

SECTION TEN: Effective Date: The Ordinance shall become effective upon passage and publication of the ordinance summary in the official City newspaper as provided by State law.

PASSED by the Governing Body this ____ day of _____, 2018.

SIGNED by the Mayor this ____ day of _____, 2018.

CITY OF PITTSBURG, KANSAS.

Jeremy Johnson, Mayor

ATTEST:

County Clerk

APPROVED AS TO FORM:

Henry Menghini, City Attorney



W 1st ST

EST 2011
SIGNET COFFEE
ROASTERS

Commerce Bank
DRIVE THRU

HARVEST
BANK

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