

**AGENDA ITEM**  
**September 5, 2023**

**Subject:** Waiver request by Chamber of Commerce for Alcohol sales at Marmaduke Park on October 28, 2023

**Department:** Administration

The Chamber of Commerce is hosting a Fall Festival on Saturday, October 28, 2023, at Marmaduke Park. They would like to sell Alcohol at the event. Ordinance 8499, passed on May 3, 2022, prohibits the sale of intoxicating liquor within 100 feet of any park.

**Manager Notes:**

- Sec. 3-12. Sale of liquor prohibited near schools, churches, parks.
  - (a) No license shall be granted for the sale of intoxicating liquor, as defined in this chapter, **within 100 feet of any public park, school, church, or other building regularly used as a place of religious worship**, unless the applicant for the license shall first obtain the consent in writing of the board of directors of the school, or the consent in writing of the majority of the managing board of the church or place of worship;
- Alcohol sales are allowed for this type of event under the “Picnic Permit” (Section 3-9) with the following restrictions and permissions:
  - May be issued to any church, school, civic, service, fraternal, veteran, political, or charitable club or organization for the sale of such malt liquor at a picnic bazaar, fair, or similar gathering.
  - The applicant for such permit shall pay the licensing officer a fee of \$150.00.
  - Permit is issued by the Liquor Control Board, No Council approval needed. Before the Liquor Control Board issues a permit to the applicant, a copy of the permit issued by the state shall be provided.
- In August of 2020 the Council passed Resolution 1669 granting the Chamber of Commerce to sell Alcohol at Marmaduke Park

**RESOLUTION NO. 1735**

**A RESOLUTION OF THE CITY OF NEVADA, MISSOURI, AUTHORIZING A WAIVER FROM THE PROVISIONS OF SECTION 3-12 (A) SALE OF LIQUOR PROHIBITED NEAR SCHOOLS, CHURCHES, AND PARKS, FOR MARMADUKE PARK ON OCTOBER 28, 2023**

**WHEREAS**, the Chamber of Commerce for the City of Nevada, Missouri will be holding a Fall Festival at Marmaduke Park on October 28, 2023, and would like to sell alcohol, and;

**WHEREAS**, the Municipal Code Section 3-12 (a) prohibits the sale of liquor within 100 feet of any park, and;

**WHEREAS**, it is the desire of the City Council to waive the provisions of Municipal Code Section 3-12 (a) Sale of Liquor Prohibited Near Schools, Churches, and Parks, during the event.

**NOW THEREFORE, BE IT RESOLVED**, by the City Council of the City of Nevada, Missouri that provisions of Section 3-12 (a) of the Code of the City of Nevada are hereby waived for Marmaduke Park on October 28, 2023.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Nevada, Missouri this 5th day of September 2023.

(seal)

KENDALL VICKERS, MAYOR

ATTEST:

CYNTHIA DYE, CITY CLERK

SAVE THE DATE



**1st** ANNUAL  
**NEVADA**  
**FALL FESTIVAL**

October 28, 2023

ENJOY THE FAMILY-FRIENDLY ACTIVITIES  
FREE ADMISSION

AT MARMADUKE  
PARK

10:00 A.M - 8:00 P.M.



LIVE MUSIC - FOOD TRUCKS - ARTS & CRAFTS  
- AXE THROWING - TALENT SHOW & SO  
MUCH MORE!

VENDORS WILL BE OPEN FROM 10:00 - 3:00  
FOR MORE INFORMATION, CALL (417)667-3113

SPONSORED BY DOUBLE K COUNTRY, NEVADA/VC CHAMBER OF COMMERCE, CITY OF  
NEVADA, OSAGE PRAIRIE YMCA & NEVADA HOUSING AUTHORITY