RESOLUTION NO. 2026 - 06

A RESOLUTION TO PERMIT THE CONSUMPTION OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE AT 519 EAST MCKAY, EXCLUDING, HOWEVER, THE MIKE FALLETTI BASEBALL FIELD AND THE HIGH SCHOOL GIRLS SOFTBALL FIELD, DURING SPECIFIED HOURS AND BOUNDARIES DURING THE FESTA ITALIANA SPONSORED BY THE FRONTENAC EDUCATION FOUNDATION, A NOT FOR PROFIT ORGANIZATION, HELD WITHIN THE CITY LIMITS OF FRONTENAC, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF FRONTENAC, KANSAS, AS FOLLOWS:

Section One. Purpose. During Festa Italiana sponsored by the Frontenac Education Foundation, a Not for Profit Organization, to be held on September 19, 2026, the Governing Body has resolved to permit for the consumption of alcoholic liquor and cereal malt beverage by persons twenty-one years of age or older, subject to the conditions set forth in this Resolution, sold only by holders of temporary permits issued by the Alcohol Beverage Control Division of the Kansas Department of Revenue.

Section Two. Designated Area. 519 East McKay, Frontenac, Kansas, is exempt from City Code 3-103(a) regarding the consumption of alcoholic liquor or cereal malt beverages by person(s) twenty-one years of age or older, excluding, however, the Mike Falletti Baseball Field and the High School Girls Softball Field.

Section Three. Prohibited Acts. No person shall be permitted to drink and/or consume alcoholic liquor or cereal malt beverage in glass containers within the exempted designated area. No person shall bring outside alcoholic liquor or cereal malt beverages into the designated area. A violation shall result in the seizure of said containers by law enforcement officers. Other enforcement action may also be taken.

Section Four. Hours. The resolution shall take effect on September 19, 2026 at 4:00 PM and will cease at 11:00 PM on September 19, 2026.

Section Five. Permit Holder Responsibilities. Permit holders licensed by the State of Kansas to sale alcoholic liquor or cereal malt beverages to those consuming such alcoholic liquor or cereal malt beverages within the designated area stated in Section Two are responsible for all violations of the Club and Drinking Establishment Act or Liquor Control Act, associated regulations, and all applicable city, county, state and federal laws.

Section Six. Assumption of Risk. The City of Frontenac, Kansas, shall not be liable for injuries sustained and/or received due to intoxication by person(s). Participation in the consumption of alcoholic beverages shall be at the risk of the individual(s) and is not the responsibility of the City of Frontenac, Kansas. The Governing Body of the City of Frontenac, Kansas shall be held harmless for any condition, which results resulting from the consumption of alcoholic liquor or cereal malt beverages.

Permit Holders shall indemnify, defend, and hold harmless the City, its officers, employees, agents, and contractors, from and against liability, claims, demands, losses, damages, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, and the costs and expenses incurred in connection therewith, including reasonable attorneys' fees and costs of defense to the extent resulting from activities undertaken by Permit Holder pursuant to this Resolution, except to the extent arising from or caused by the negligence or willful misconduct of the City, its officers, employees, agents, or contractors. The City shall promptly notify Permit Holders of any claim, action or proceeding.

Section Seven. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the City Council and its posting in the Frontenac City Hall.

ADOPTED by the Governing Body of the City on the 27th day of May, 2026.

(SEAL)
ATTEST

Steve Morrison, Mayor

Jayme Mjelde, City Clerk