

SECTION 600.080: PUBLIC CONSUMPTION

A. It shall be unlawful for any person to sell, serve, dispense, possess or consume intoxicating liquors upon any public street, sidewalk, alley, park, building or place; except for, where a liquor license has been issued for such licensed premises or where such selling, serving, dispensing, possession or consumption is permitted under section 600.085.

B. If the above-licensed premise is within fifty (50) feet of a roadway or another business, the outdoor consumption area shall be screened from said vantage points by vegetative or man-made screening a minimum of four (4) feet in height. The screening is to be situated so that it obscures the overall vision from any one (1) public vantage point by a factor of fifty percent (50%). (CC 1985 §3-28; Ord. of 7-11-85, §50.060; Ord. No. 89.13, 6-15-89; Ord. No. 00.23 §1, 7-20-00)

SECTION 600.085: PERMITTED PUBLIC CONSUMPTION

A. Applications for permits to sell beer and/or wine, or to serve, dispense, possess or consume all intoxicating liquors in or upon any building or other property owned or occupied by the City must be filed with the City Administrator's office no later than thirty (30) days prior to the event.

1. *Required:* Approval from the City Administrator, or his/her designee, is required before beer and/or wine can be sold, or any intoxicating liquors can be served, dispensed, possessed or consumed in or upon any building or other property owned or occupied by the City. Intoxicating liquors, other than beer or wine, shall not be sold except for where a liquor license has been issued for such licensed premises.
2. *Application:* A person seeking permit shall file an ALCOHOL ON PUBLIC PROPERTY APPLICATION FOR PERMIT with the City Administrator, or his/her designee, and pay permit fee of \$50.00 (fifty dollars).
3. *Standards of Issuance:* A permit shall be granted when:
 - (a) *Alcohol on Public Property* application for permit has been completed fully and signed. A signed application acknowledges agreement to the terms of the application. Appendix A.
 - (b) The proposed activity will not unreasonably interfere with or detract from the general public enjoyment at the activity location.
 - (c) The proposed activity will not be a detriment to the public safety, health, morals, order or welfare by reason of the nature of the event.
 - (d) The proposed activity will not interfere or compete with the City's concession contract(s) specific to areas contracted for concessions, the ball fields at Peanick Park and the Osage Beach City Park. A waiver by the concessionaire shall be obtained if the activity/event interferes with the contracted concession dates and times.

(e) The location desired has not been reserved for other use at the date and time specified on the application.

(f) The applicant meets all requirements established by the City Administrator, or his/her designee, with this code.

4. *Authorization:* Once an authorized permit has been issued, the applicant shall be bound by the permit agreement, all location rules and regulations and all applicable ordinances set by the City of Osage Beach.
5. *Revocation:* City Administrator or the Chief of Police, or his/her designee, shall have the authority to revoke an application upon any finding of violation of any rule, ordinance or upon good cause shown.
6. *Appeal:* If an application is rejected, the City Administrator, or his/her designee, shall apprise the applicant, in writing, of the reasons for refusing the application. Any applicant shall have the right to appeal the decision to the Board of Alderman at the next available Board of Alderman meeting. The decision of the Board of Alderman shall be final.