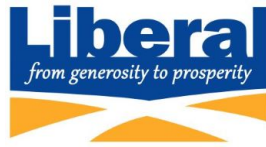




City Commission Special Meeting Agenda
Tuesday, June 10, 2025, 4:00 PM
City Commission Chambers, 950 S. Grant Ave.

- Call to Order
- 1. Common Consumption Area
- 2. Mobile Vendors
- ADJOURNMENT



**CITY OF LIBERAL
CITY COMMISSION MEETING
June 10, 2025
AGENDA ITEM # 1.**

To: Mayor Jose Lara
Vice Mayor Matt Landry
Commissioner Ron Warren
Commissioner Janeth Vazquez
Commissioner Jeff Parsons

Date: June 10, 2025

From:

RE: Common Consumption Area

Attached is the Handbook for Common Consumption Areas Permits from the State of Kansas, Division of Alcoholic Beverage Control.

Recommendation:

Handbook for Common Consumption Area Permits

Division of Alcoholic Beverage Control
Kansas Department of Revenue 109 SW 9th Street
Mills Building, 5th Floor Topeka, Kansas 66612

Phone: 785-296-7015 / Fax: 785-296-7185

Website: www.ksrevenue.gov/abcindex.html

Email: Kdor_abc.email@ks.gov

Please report errors, omissions or suggestions for improvement to this handbook to the Division of Alcoholic Beverage Control by telephone at 785-296-7015, by fax at 785-296-7185 or by email to Kdor_abc.email@ks.gov.

Changes made to this handbook since the previous revision(s) have been highlighted with a light blue background.

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- [Application Process and Fees](#)
- [Authorized Activities](#)
- [Prohibited Activities](#)
- [Liability for Violations](#)

Definition

A “common consumption area” is a defined indoor or outdoor area not otherwise licensed where the possession and consumption of alcoholic liquor and cereal malt beverage (CMB) is allowed pursuant to a common consumption area permit. The boundaries of any common consumption area must be clearly marked using a physical barrier or other apparent line of demarcation. Every common consumption area shall have signs conspicuously posted identifying the boundaries of such area, and such signs must be in a size and manner to provide notice to persons entering or leaving the area. [Subsection (g) of K.S.A. 41-2659, as amended by Section 7 of 2023 House Bill 2059]

Application Process and Fees

Prior to application for a common consumption area permit, the city or county in which the common consumption area is to be located must pass an ordinance or resolution “creating” the common consumption area and designating its boundaries. Any specific rules or guidelines applicable to the common consumption area shall be included in the ordinance or resolution. The ordinance or resolution *may* require that any public street or roadway within the common consumption area be blocked from motorized traffic during any hours in which alcoholic liquor and CMB is consumed. However, this is not required. [Subsection (a)(1) of K.S.A. 41-2659, as amended by Section 7 of 2023 House Bill 2059]

Permits may be issued to the following:

- The city or county in which the common consumption area will be located
- An individual who is a resident of Kansas and has been approved by the city or county
- An organization that has its principal place of business in Kansas and has been approved by the city or county

[Subsection (b) of K.S.A. 41-2659]

All applications must be submitted online at <http://ksabconline.gov>.

A copy of the city or county ordinance or resolution creating the common consumption area to be covered by the permit must be submitted to ABC Licensing with the application for a Common Consumption Area Permit. [Subsection (c)(1) of K.S.A. 41-2659]

The permit is valid for up to one year from the date it is issued by ABC and can be renewed annually. The annual fee for the permit is \$100, and is nonrefundable. [Subsections (c)(2) and (c)(3) of K.S.A. 41-2659]

Authorized Activities

Once a Common Consumption Area permit has been issued by ABC, alcoholic liquor and CMB may be possessed and consumed within the common consumption area designated by the permit. The boundaries of the common consumption area must be clearly marked with a physical barrier or other apparent line of demarcation. [Subsection (g) of K.S.A. 41-2659, and Subsection (b) of K.S.A. 41-719]

A licensee located within or immediately adjacent to a common consumption area may elect to participate in the common consumption area by allowing its legal patrons to remove alcoholic liquor and CMB purchased on the licensed premises into the common consumption area. In order to do this, the licensee must request and receive permission from ABC by submitting the ABC-838 form found on <https://ksrevenue.gov/abcforms.html>. [Subsections (d) and (e) of K.S.A. 41-2659]

If a licensee has requested and received permission to participate in a common consumption area, such licensee may sell, offer for sale and serve alcoholic liquor and CMB from one non-contiguous service area within the common consumption area. The licensee must receive permission from the common consumption area permit holder to do so, and shall prominently display a copy of its liquor license and the approval of the common consumption area permit holder at all times at such non-contiguous service area. [Subsection (e)(2) of K.S.A. 41-2659]

If a licensee has been approved by ABC to participate in a common consumption area, any alcoholic liquor and CMB removed from its licensed premises must be placed into or served in a container that displays that licensee's trade name or logo, or other unique identifying mark. [Subsection (e)(1) of K.S.A. 41-2659] Licensees participating in a common consumption area shall post a copy of any documentation received from ABC approving such participation on the licensed premises at all times.

Prohibited Activities

Common Consumption Area permits are for possession and consumption of alcoholic liquor and CMB only. No sales of alcoholic liquor and CMB may occur on premises covered by a common consumption area permit, unless the sales are conducted by a licensed caterer in accordance with all requirements for a catered event, a separate temporary permit has been issued for that specific area, or a drinking establishment has been authorized by the permit holder to operate a non-contiguous service area in accordance with K.S.A. 41-2659(e)(2). [ABC interpretation and application of K.S.A. 41-104 and 41-2659]

No person shall remove any open container of alcoholic liquor or CMB from within the boundaries of a common consumption area. [Subsection (f) (2) of K.S.A. 41-2659]

Liability for Violations

A Common Consumption Area permit holder shall comply with all terms and conditions outlined in the city or county ordinance or resolution. These may include, but are not limited to, restrictions upon the hours in which possession and consumption are allowed, smoking restrictions, prohibitions on glass containers, etc.

Common Consumption Area permit holders are liable for any and all violations that occur within the defined boundaries of the common consumption area subject to the permit. A permit holder shall not be liable for violations involving the sale and consumption of alcoholic liquor and CMB that occur on the licensed premises of participating licensees. [Subsection (f)(2) of K.S.A. 41-2659]

The director may suspend, involuntarily cancel or revoke a common consumption area permit if the permit holder violates the provisions of an order lawfully issued by the director. [Subsection (b) of K.S.A. 41-2611, as amended by Section 21 of 2021 House Bill 2137]

Revised 07/2023

LIQUOR TAX OR LIQUOR BOND QUESTIONS?

Contact the Miscellaneous Tax Segment at 785-368-8222, Option #5 then option #4 or send email to KDOR_Miscellaneous.Tax@KS.GOV



**CITY OF LIBERAL
CITY COMMISSION MEETING
June 10, 2025
AGENDA ITEM # 2.**

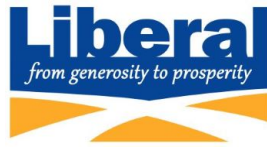
To: Mayor Jose Lara
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