

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE PROCEDURE IN A SECTION 110.300 FOR THE APPLICATION AND DISTRIBUTION OF FUNDS FROM THE COMMUNITY PROMOTIONS – COMMUNITY EVENT SUPPORT ACCOUNT

WHEREFORE the Board of Aldermen is desirous of supporting activities that bring visitors trade and business into the city and which promote the city, and

WHEREFORE the budget as adopted has set aside certain funds for the purpose of bringing visitors, trade and business into the city and which promote the city, and

WHEREFORE it is necessary for a regular and clear direction of the Board of Aldermen to create a method to evaluate the applications which may come to the city for the use of the Community Event Support Account

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That Section 110.300 is hereby amended with amendments as set forth below with new material set out in red and deleted material struck through to read as follows:

Section 110.300. Expenditures from Community Promotions — Community Event Support Budget Item.

A. All expenditures from the community promotions — community event support funds in account 10-21-754250, or any of its successors shall be spent for the purpose of supporting event activities that bring visitors, trade, and business into the City and shall be spent pursuant to the ordinance duly adopted and passed.

B. All applications for support through the use of City property, labor, personnel, services or other "in-kind" contributions shall be for the purpose of supporting event activities that bring visitors, trade, and business into the City and shall be approved by the board based on the applicant's need, the city's availability and pursuant to the ordinance duly adopted and passed.

C. Each application for funds from the community promotions — community event support account shall be made on an application form attached hereto and incorporated by reference as if fully set out herein which is attached as Exhibit A. The City Administrator shall have the authority to add to and supplement the questions and information required in Exhibit A.

D. All information submitted in Exhibit A and any further or supporting information for any requests made for funding hereunder shall be a public record subject to

Chapter 117 of this Code and the requirements of Chapter 610, of the Revised Statutes of Missouri, commonly known as the Sunshine Law and any successors thereto.

E. Upon receipt of a completed application form, the City Administrator shall submit the question of approval of said application to the Board of Aldermen in the form of an ordinance. Along with the ordinance the application shall provide information from the applicant addressing at least the following questions to be used by the Board of Aldermen for decision on approval:

1. Is the event sponsor/applicant a Private business or a non-profit/charitable organization?
2. Is the event open to the public, restricted to members, or restricted to those who purchase tickets?
3. Is the content of the proposed event or the message of the sponsor offensive, or overtly political or religious?
4. What are the direct/indirect benefits to the public?
5. Provide a budget and written justification for the need for support from the city and explain the ownership and disposition of any remaining funds at the end of the event.

#### Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

#### Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: August 20, 2020

READ SECOND TIME: September 3, 2020

I hereby certify that Ordinance No.20.53 was duly passed on September 3, 2020 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6

Nays: 0

Abstentions: 0

Absent:0

This Ordinance is hereby transmitted to the Mayor for his signature.

September 3, 2020  
Date

Tara Berreth  
Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker  
Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.53 .

John Olivarri  
John Olivarri, Mayor

September 3, 2020  
Date

Tara Berreth  
Tara Berreth, City Clerk