

Sec. 14-20. Unlawful in city-owned buildings, city-owned structured parking garages, city-owned parks, and city-owned park facilities.

It shall be unlawful for any person to consume any alcoholic beverage in city-owned buildings, city-owned structured parking garages, city-owned parks save and except Mitchell Park and Central Park, and city-owned park facilities with the following specific exceptions:

- (1) *McKinney Performing Arts Center.* The alcoholic beverage is consumed within the McKinney Performing Arts Center at the Historic Collin County Courthouse where the appropriate permit has been obtained from the city secretary and the state when available for purchase;
- (2) *Sidewalk ~~use permit~~ Cafes and Parklets.* A ~~type A sidewalk use~~ *Sidewalk Café or Parklet and fence* permit has been issued in accordance with section ~~122-181(a)~~ *Chapter 90, Article VI* of the Code of Ordinances of the City of McKinney, Texas;
- (3) *Courthouse Square area.* During a special event being held in the Courthouse Square area, open containers may not be carried into or carried within and about the Courthouse Square area unless such alcoholic beverage is sold and dispensed by the holder of a valid, appropriate state alcoholic beverage commission alcoholic beverage permit and city alcoholic beverage permit during a properly permitted special event within Downtown McKinney on the Historic Courthouse Square ("Courthouse Square area"). During a special event being held in the Courthouse Square area, any alcoholic beverages that are consumed within the Courthouse Square area must have been sold and dispensed by the holder of a valid, appropriate state alcoholic beverage commission alcoholic beverage permit and city alcoholic beverage permit during a properly permitted special event within Downtown McKinney on the Historic Courthouse Square ("Courthouse Square area"). The Courthouse Square area shall be depicted on a map which shall be maintained and available in the city secretary's office and shall be made a part of this section by reference as if shown in its entirety. The Courthouse Square area may include all or part of the McKinney Performing Arts Center at the Historic Collin County Courthouse ("MPAC") as shown on the city's special event permit application. Any such special event may be permitted for alcoholic beverages if such special event is held in conjunction with a city or Main Street sponsored event that allows alcoholic beverages to be dispensed and consumed;
- (4) *McKinney National Airport.* The alcoholic beverage is sold or dispensed by the holder of a valid, appropriate state alcoholic beverage commission alcoholic beverage permit and city alcoholic beverage permit during a properly permitted special event within the approved areas of the McKinney National Airport. The approved areas for alcohol consumption at the McKinney National Airport shall be depicted on a map which shall be maintained and available in the city secretary's office and shall be made a part of this section by reference as if shown in its entirety; or
- (5) *StarCenter Area.* The alcoholic beverage is consumed on Lot A, Block 7 of the North Texas Athletic Center Addition, including the area within the Dr Pepper StarCenter - McKinney at Craig Ranch between the hours of 5:00 p.m.—12:00 a.m. Monday—Friday and between 12:00 p.m.—12:00 a.m. Saturday—Sunday unless otherwise allowed by a special use permit, where the appropriate permit has been obtained from the city secretary and the state.
- (6) *City-controlled parkland and recreation centers.* The alcoholic beverage is consumed wholly on certain specified "city-controlled parkland," defined hereinbelow, or within certain specified "recreation centers," defined hereinbelow, controlled by the city's parks and recreation department where the appropriate permit has been obtained from the city secretary and the state, if applicable, and approval for the use of the city-controlled parkland or within recreation centers has also been obtained in advance from the director of the city's parks and recreation department, or his/her designee.
 - a. *Recreation center(s).* For purposes of this section, "recreation center" means and includes the Apex Centre, McKinney Community Center, Courts of McKinney Tennis Center, Recreation Center at Old Settler's, or the Senior Recreation Center as well as the parks and recreation

administrative offices and are collectively referred to as "recreation centers." Each recreation center shall maintain a separate facility policy establishing the particular rules and regulations governing alcohol sales, dispensing and consumption upon, within and about the recreation center and its appendages, property and grounds (the "policy"). Unless otherwise stated in the policy for a specific recreation center, the following provisions shall apply:

- i. The beer and/or wine and vinous liquor is sold or dispensed by the holder of a valid, appropriate state alcoholic beverage commission alcoholic beverage permit and city alcoholic beverage permit during a properly permitted special event, programming activity, and/or management or vendor contract, with the following conditions:
 1. The entire special event and/or programming area, including the area for beer and/or wine and vinous liquor dispensing and consumption, shall be located in an area with a defined ingress and egress point monitored by off-duty city police officers at a ratio of at least one officer per 100 anticipated patrons, or more or less as determined by the facility manager/supervisor; and
 2. The sales, dispensing and consumption of alcohol shall be allowed only between the hours of 12:00 p.m.—12:00 a.m. Monday—Friday, and between 12:00 p.m.—12:00 a.m. Saturday—Sunday unless otherwise allowed by a special event permit, where the appropriate permits have been obtained from the city secretary and the state.
- b. *City-controlled parkland.* For purposes of this section, "city-controlled parkland" means and includes the following city-owned parks and any structures and buildings thereon, unless provided differently in the policy adopted by a recreation center situated within the boundaries of the city-controlled parkland:
 - i. Oak Hollow Golf Course;
 - ii. Towne Lake Recreation Area (230 acres);
 - iii. Gabe Nesbitt Community Park (160 acres);
 - iv. Bonnie Wenk Community Park (168 acres);
 - v. McKinney Soccer Complex at Craig Ranch (65 acres);
 - vi. Al Ruschhaupt Soccer Complex 1 & 2 (114 acres);
 - vii. Old Settler's Park (29 acres);
 - viii. Finch Park (32 acres); and
 - ix. Central Park (one-half acre); and
 - x. Mitchell Park (one acre).

Unless otherwise stated in the policy for a specific recreation center that is situated within the boundaries of the city-controlled parkland, the following provisions shall apply:

- i. The beer and/or wine and vinous liquor is sold or dispensed by the holder of a valid, appropriate state alcoholic beverage commission alcoholic beverage permit and city alcoholic beverage permit during a properly permitted special event, programming activity, and/or management or vendor contract, with the following conditions:
 1. The entire special event and/or programming area, including the area for beer and/or wine and vinous liquor dispensing and consumption, shall be located in an area with a defined ingress and egress point monitored by off-duty city police officers at a ratio of at least one officer per 100 anticipated patrons, or

more or less as determined by the director of parks and recreation or his/her designee; and

2. The consumption of alcohol shall be allowed between the hours of 12:00 p.m.—12:00 a.m. Monday—Friday and between 12:00 p.m.—12:00 a.m. Saturday—Sunday unless otherwise allowed by a special use permit, where the appropriate permit has been obtained from the city secretary and the state.

(Ord. No. 2020-06-040, § 2, 6-2-2020)

Editor's note(s)—Ord. No. 2020-06-040, § 2, adopted June 2, 2020, repealed § 14-20 and enacted a new § 14-20 as set out herein. Former § 14-20 pertained to on streets and derived from § 4-17 of the Code of 1982 and Ord. No. 672, § 1, adopted September 12, 1966.