

ORDINANCE NO. 2017-02

AN ORDINANCE ESTABLISHING REGULATIONS FOR DRINKING ESTABLISHMENTS IN THE CITY OF NEW STRAWN, KANSAS; CREATING CHAPTER 3, ARTICLE 4 OF THE CODE OF THE CITY OF NEW STRAWN, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEW STRAWN, KANSAS:

Section 1. That the Code of the City of New Strawn, Kansas be amended by adding Article 4, "Drinking Establishments," to Chapter III, "Beverages," to read as follows:

3-401. LICENSE REQUIRED. It shall be unlawful for any person granted a drinking establishment license by the State of Kansas to sell or serve any alcoholic liquor authorized by such license within the city without first obtaining a city license from the city clerk.

3-402. OCCUPATIONAL TAX.

(a) There is hereby levied an biennial license fee in the amount of \$300.00 on each drinking establishment located in the city which has a drinking establishment license issued by the state director of alcoholic beverage control, which fee shall be paid before business is begun under an original state license and within five days after any renewal of a state license.

(b) All applications for new or renewal city licenses shall be submitted to the city clerk. Upon presentation of a state license and payment of the city occupational tax, the city clerk shall issue a city license for the period covered by the state license, if there are no conflicts with any zoning or alcoholic beverage ordinances of the city.

(c) The license period shall extend for the period covered by the state license. No license fee shall be refunded for any reason.

(d) Every licensee shall cause the city drinking establishment license to be placed in plain view next to or below the state license in a conspicuous place on the licensed premises.

3-403. BUSINESS REGULATIONS.

(a) No drinking establishment licensed hereunder shall allow the serving, mixing or consumption of alcoholic liquor on its premises between the hours of 2:00 a.m. and 9:00 a.m. on any day.

(b) Cereal malt beverages may be sold on premises licensed for the retail sale of cereal malt beverage for on-premises consumption at any time when alcoholic liquor is allowed by law to be served on the premises.

(c) No alcoholic beverages or cereal malt beverages shall be given, sold or traded to any person under 21 years of age.

(K.S.A. Supp. 41-2614)

Section 2. This ordinance shall take effect and be in force from and after its publication in the official newspaper for the City of New Strawn.

PASSED by the Governing Body and approved by the Mayor of the City of New Strawn, Kansas, on this 30th day of January, 2017.

Mark Petterson, Mayor

ATTEST:

APPROVED AS TO FORM:

Janell K. Templeton, City Clerk

Denise McNabb, City Attorney