

ORDINANCE NO. 1064

AN ORDINANCE AMENDING SECTION 3-104 AND ARTICLE 3 AND REPEALING CHAPTER III SECTION 3-301(b), and ARTICLES 4, 5, 6, AND 7 OF THE CODE OF THE CITY OF GREENSBURG, KANSAS

NOW, THEREFORE, be it ordained by the governing body of the City of Greensburg, Kansas:

SECTION 1. Section 3-104 of the Code of the City of the City of Greensburg, Kansas, is hereby amended to read as follows:

"3-104. Consumption on public property

"No person shall drink or consume any alcoholic liquor on city owned public property. However, this prohibition shall not apply to special events on public property, for which a permit has been obtained from the city. The City Clerk shall notify the Chief of Police of all scheduled events on public property." (K.S.A. 41-719; Code 2014; Ord. 1064)

SECTION 2. Chapter III. Article 3 of the Code of the City of the City of Greensburg, Kansas, is hereby amended to read as follows:

ARTICLE 3. ALCOHOLIC LIQUOR

3-301. State license required.

(a) It shall be unlawful for any person to keep for sale, offer for sale, or expose for sale or sell any alcoholic liquor on or off premise as defined by the "Kansas liquor control act" without first having obtained a state license to do so.

(Code 2014; Ord.1064)

3-302. Liquor Stores

(a) Hours of sale.

No person shall sell at retail any alcoholic liquor:

- (1) On any Sunday;
- (2) On Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day;
- (3) Before 9:00 a.m. or after 11:00 p.m. on any day when the sale thereof is permitted.

(K.S.A. 41-712; K.S.A. 41-2911; Code 2014; Ord. 1064)

(b) Business regulations

It shall be unlawful for a retailer of alcoholic liquor to:

- (1) Permit any person to mix drinks in or on the licensed premises;
- (2) Employ any person under the age of 21 years in connection with the operation of the retail establishment;
- (3) Employ any person in connection with the operation of the retail establishment who has been adjudged guilty of a felony;
- (4) Furnish any entertainment in his or her premises or permit any pinball machine or game of skill or chance to be located in or on the premises;
- (5) Have in his or her possession for sale at retail any bottles, cask, or other containers containing alcoholic liquor, except in the original package;

- (6) Sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquor to or for any person under 21 years of age.

(Code 2014; Ord. 1064)

(c) Restrictions on location.

No person shall knowingly or unknowingly sell, give away, furnish, dispose of, procure, exchange or deliver, or permit the selling, giving away, furnishing, disposing of, procuring, exchanging or delivering of any alcoholic beverage in any building, structure or premises, if the nearest portion of the building, structure or premises is within 200 feet from the nearest property line of any existing hospital, school, church, nursing home, or library.

(K.S.A. 41-710; Code 2014; Ord. 1064)

3-303. Private Clubs

(a) Business regulations.

- (1) No club 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.
- (2) Cereal malt beverages may be sold on premises licensed for the retail sale of cereal malt beverages for on-premises consumption at any time when alcoholic liquor is allowed by law to be served on the premises.
- (3) No club membership shall be sold to any person under 21 years of age, nor shall alcoholic beverages or cereal malt beverages be given, sold or traded to any person under 21 years of age.

(K.S.A. Supp. 41-2614; Code 2007; Ord. 1064)

3-304. Drinking Establishments

(a) Business regulations.

- (1) 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.
- (2) 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.
- (3) 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; Code 2014; Ord. 1064)

3-305. Caterers

(a) Business regulations.

- (1) No caterer licensed hereunder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. on any day.
- (2) 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; Code 2014; Ord. 1064)

(b) Notice to chief of police.

Prior to any event at which a caterer will sell or serve alcoholic liquor by the individual drink, the caterer shall provide written notice to the chief of police at least 72 hours prior to the event if the event will take place within the city. The notice shall contain the location, name of the group sponsoring the event, and the exact date and times the caterer will be serving.

(Code 2014; Ord. 1064)

3-306. Temporary Permits

(a) Permit regulations.

(1) No temporary permit holder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 2:00 a.m. and 6:00 a.m. at any event for which a temporary permit has been issued.

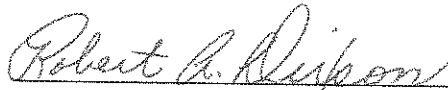
(2) No alcoholic beverages shall be given, sold or traded to any person under 21 years of age.

(Code 2014; Ord. 1064)

SECTION 3. Chapter III Section 3-301(b) and Articles 4, 5, 6, and 7 of the Code of the City of Greensburg are hereby repealed.

SECTION 4. This Ordinance shall take effect and be in force from and after the date of its publication in the official City newspaper.

ADOPTED by the Governing Body of the City of Greensburg, Kansas this 16TH day of February, 2015.



ROBERT A. DIXSON, MAYOR

ATTEST:


CHRISTY PYATT, CITY CLERK