

ORDINANCE NO. 1111

AN ORDINANCE AMENDING CHAPTER III: BEVERAGES OF THE CODE OF THE CITY OF GREENSBURG, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GREENSBURG:

Section 1. DEFINITIONS. Section 3-101 of the code of the City of Greensburg is hereby amended to read as follows:

(a) Alcohol - means the product of distillation of any fermented liquid, whether rectified or diluted, whatever the origin thereof, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) Cereal Malt Beverage - means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any such liquor which is more than 3.2 percent alcohol by weight.

(c) Enhanced Cereal Malt Beverage - means cereal malt beverage as that term is defined in K.S.A. 41-2701, and amendments thereto, and such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

(d) Class A Club - means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans' club, as determined by the State of Kansas, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members), and their families and guests accompanying them.

(e) Class B Club - means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.

(f) Club - means a Class A or Class B club.

(g) General Retailer - means a person who has a license to sell cereal malt beverages at retail.

(h) Limited Retailer - means a person who has a license to sell cereal malt beverages at retail only in original and unopened containers and not for consumption on the premises.

(i) Place of Business. - Any place at which cereal malt beverages or alcoholic beverages or both are sold.

(j) Public Property: Public streets, alleys, roads, sidewalks, highways, parks, and any other City owned property.

(k) Wholesaler or distributor. - Any individuals, firms, copartnerships, corporations and associations which sell or offer for sale any beverage referred to in this chapter, to persons, copartnerships, corporations and associations authorized by this chapter to sell cereal malt beverages at retail.

Section 2. TEMPORARY LICENSE. Section 3-217 of the code of the City of Greensburg is hereby amended to read as follows:

The Governing Body may, upon proper application, issue a temporary permit for the sale of enhanced cereal malt beverages. Any such application for a temporary permit shall be made to the City Clerk and shall provide the following information:

- (a) The name of Applicant.
- (b) The group for which the event is planned.
- (c) The location of the event.
- (d) The date and time of the event.
- (e) Any anticipated need for police, fire, or other municipal service.

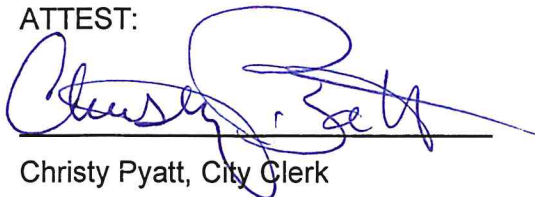
Upon receipt of such Application accompanied by a permit fee of \$25.00, the Governing Body may authorize the issuance of such temporary permit notwithstanding location restrictions as provided for within Section 3-109 herein. All other provisions and regulations found with Chapter III applicable to the sale of cereal malt beverages will be applicable to such permit

Section 3. This ordinance shall be published one time in the official city newspaper.

Section 4. This ordinance shall take effect and be in force upon publication.

PASSED AND APPROVED this 16th day of May, 2022.

ATTEST:


Christy Pyatt, City Clerk


Matt Christenson, Mayor

