

ORDINANCE NO. 454

AN ORDINANCE AMENDING ORDINANCE NO. 394 PASSED BY THE GOVERNING BODY ON THE 6TH DAY OF MARCH, 1978 PROVIDING RESTRICTIONS FOR THE CONSUMPTION OF INTOXICATING LIQUOR AND CEREAL MALT BEVERAGE AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

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

Section 1. That Section 30 of Ordinance No. 394 passed and approved by the Governing Body of the City of Haven, Kansas on the 6th day of March, 1978, is amended to read as follows: Section 30. sales to, purchases by or for, or possession by persons under 21 years of age forbidden; sales or gifts to, or procurement for incompetents unlawful

(a) No person shall knowingly or unknowingly sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquor as defined by K.S.A. 41-102, to or for any person under 21 years of age; and no such person under 21 years of age shall represent that he is of age for the purpose of asking for, purchasing or receiving alcoholic liquor from any person except in cases authorized by law.

(b) No person under 21 years of age shall attempt to purchase or purchase alcoholic liquor from any person. No person under 21 years of age shall possess alcoholic liquor. No person shall purchase alcoholic liquor from any person for, on behalf of or at the request of any person under 21 years of age.

(c) No person shall knowingly sell, give away, dispose of, exchange or deliver, or permit the sale, gift or procuring of any alcoholic liquor to or for any person who is mentally incompetent, or any person who is physically or mentally incapacitated by the consumption of such liquor.

(d) It shall be unlawful for any person under the legal age of consumption of cereal malt beverage as defined by K.S.A. 41-2701(g) to be in or upon the premises of any tavern located in the City of Haven, Kansas, except when accompanied by parents, guardian or adult spouse.

(1) It shall be unlawful for any owner or operator of a tavern or any other person, to permit any person under the legal age for consumption, except when accompanied by parents, guardian or adult spouse, to be in or remain in any tavern within the corporate limits of the City of Haven, Kansas.

(2) It shall be unlawful for any person under the legal age of consumption as defined by K.S.A. 41-2701(g) to sell, serve, dispense, drink or consume or possess any cereal malt beverage upon any street, public thoroughfare, upon property owned by the city, state or any governmental subdivision thereof, or in any public place within or under the jurisdiction of the city.

(e) Any person violating any of the provisions of this section shall be deemed guilty of a Class A misdemeanor, and upon conviction thereof shall be punished at the discretion of the court.

Section 2. All other provisions of Ordinance No. 394 remain in full force and effect.

Section 3. This Ordinance shall be in effect from and after its publication once in the official city newspaper.

PASSED AND APPROVED this 1st day of June, 1987

/s/Roy Banning, Jr.
Mayor

SEAL
ATTEST:
/s/Vera R. Hiatt
City Clerk