

Amend 430

**ORDINANCE NO. 425  
ALCOHOLIC LIQUOR**

AN ORDINANCE RELATING TO THE LICENSE REQUIREMENTS, THE OCCUPATIONAL TAX FEE CHARGE AND POSTING FOR PUBLIC VIEWING, HOURS OF SALE, BUSINESS REGULATIONS AND RESTRICTIONS ON LOCATION.

**Section 1. 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 as defined by the "Kansas liquor control act" without first having obtained a state license to do so.
- (b) The holder of a license for the retail sale in the city of alcoholic liquors by the package issued by the state director of alcoholic beverage control shall present such license to the city clerk when applying to pay the occupation tax levied in Section 2 and the tax shall be received and a receipt shall be issued for the period covered by the state license.

**Section 2. OCCUPATIONAL TAX.** There is hereby levied an biennial occupation tax of \$ 200.00 on any person holding a license issued by the state director of alcoholic beverage control for the retail sale within the city of alcoholic liquors for consumption off the premises. Such tax shall be paid by the retailer to the city clerk before business is begun under an original state license and shall be paid within five days after any renewal of a state license.

**Section 3. POSTING OF RECEIPT.** Every licensee shall cause the city alcoholic liquor retailer's occupation tax receipt to be placed in plain view, next to or below the state license in a conspicuous place on the licensed premises.

**Section 4. HOURS OF SALE.** No person shall sell at retail any alcoholic liquor:

- (a) On any Easter Sunday;
  - (b) On Decoration Day or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day;
  - (c) 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)

**Section 5. BUSINESS REGULATIONS.** It shall be unlawful for a retailer of alcoholic liquor to:

- (a) Permit any person to mix drinks in or on the licensed premises;
- (b) Employ any person under the age of 21 years in connection with the operation of the retail establishment;
- (c) Employ any person in connection with the operation of the retail establishment who has been adjudged guilty of a felony;
- (d) 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; or
- (e) Have in his or her possession for sale at retail any bottles, cask, or other containers containing alcoholic liquor, except in the original package.
- (f) 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.

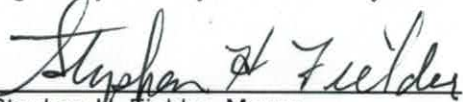
**Section 6. RESTRICTIONS ON LOCATION.** No person shall knowingly or unknowingly sell, give away, furnish, dispose of, procure, exchange or deliver, or permit the selling, giving away, furnishing, disposing of, procuring, exchanging or delivering of any alcoholic beverage in any building, structure or premises, for consumption in such building or upon such premises if such consumption is within 200 feet from the nearest property line of any existing hospital, school, church or library. (K.S.A. 41-710)

**Section 7. PENALTY.** Any violation of this ordinance shall be punished by, (a) a fine of not more than \$1,000.00, or, (b) imprisonment in jail for not more than 30 days; or (c) revocation of license; or, (d) a fine, imprisonment and /or license revocation not to exceed (a) \$1,000.00, (b) 30 days and (c) revocation of license.

This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

ADOPTED BY THE GOVERNING BODY OF LONGTON, KANSAS ON THE 12<sup>TH</sup> DAY OF JUNE, 2013.

Signed by the Mayor this 12<sup>th</sup> day of June, 2013.

  
Stephen H. Fielder, Mayor

ATTEST:

  
Lotus McDow, City Clerk



(SEAL)

ORDINANCE NO. 430  
ALCOHOLIC LIQUOR

AN ORDINANCE Repealing ORDINANCE NO. 425; SECTION FOUR: HOURS OF SALE

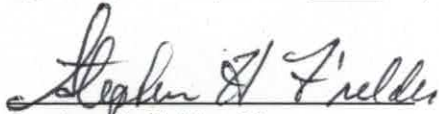
SECTION 4: HOURS OF SALE. No person shall sell at retail any alcoholic liquor;

- (a) On any Easter Sunday
- (b) On Thanksgiving Day and Christmas Day
- (c) Before 9:00a.m. or after 11:00p.m. on any day when the sale thereof is permitted. (K.S.A. 41-712)

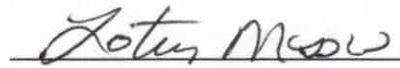
This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

ADOPTED BY THE GOVERNING BODY OF LONGTON, KANSAS ON THE 12<sup>TH</sup> DAY OF AUGUST, 2014.

Signed by the Mayor this 12 day of August, 2014.

  
Stephen H. Fielder, Mayor

ATTEST:

  
Lotus McDow, City Clerk

(SEAL)

