

ORDINANCE NO. 2137

AN ORDINANCE AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE AND SALES OF ALCOHOLIC LIQUOR ON CERTAIN HOLIDAYS IN THE ORIGINAL PACKAGE.

Whereas, K.S.A. 41-712 and the Beloit City Code, under Chapter 3, Article II, generally prohibit the sale of alcoholic liquor on any Sunday and on Memorial Day, Independence Day, and Labor Day;

Whereas, K.S.A. 41-2704 and the Beloit City Code, under Chapter 3, Article I, prohibit the sale of cereal malt beverage on any Sunday;

Whereas, K.S.A. 41-2911 permits cities to expand the legal days of retail sales of alcoholic liquor and cereal malt beverages to include Sundays from 12 noon to 8 p.m., except on Easter, in combination with expanding the legal days of retail sales of alcoholic liquor to include Memorial Day, Independence Day and Labor Day.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

SECTION 1: That of Chapter 3, Article I, Section 3-109 of the Beloit City Code, is hereby amended as follows:

3-109. Regulations.

- (a) No person shall sell at retail any cereal malt beverage on the following days and hours:
 - (1) On Sunday, before 12:00 noon or after 8:00 p.m.;
 - (2) On Easter Sunday; or,
 - (3) On any day, Monday through Saturday, before 6:00 a.m. or after 12:00 midnight.
- (b) Cereal malt beverages sold for off-premises consumption shall be removed from the license premises by 12:00 midnight.
- (c) Licensee(s) for cereal malt beverages sold for on-premises consumption shall pick up all open cereal malt beverage containers by 12:20 a.m. No patrons of the licensed premises shall remain thereon after 12:30 a.m. and all entrances to the licensed premises shall be locked at 12:30 a.m.
- (d) No private rooms or closed booths shall be permitted on any premises licensed under this article; unless the business is also licensed as a private club.
- (e) A place of business licensed under this article shall be open to the public and to police officers of the city at all times during business hours except a private club shall be open to police, but not the general public.
- (f) No person shall have any alcoholic liquor in his or her possession while in any place of business licensed to sell cereal malt beverages under this article unless the business is also licensed as a private club.

SECTION 2: That Chapter 3, Article II, Section 3-204 of the Beloit City Code, is hereby amended as follows:

3-204. Hours of Sale.

- (a) No person shall sell at retail any alcoholic liquor in the city on the following days and hours:
- (1) On Sunday, before 12:00 noon or after 8:00 p.m.;
 - (2) On Easter Sunday, Thanksgiving Day, or Christmas Day; or
 - (3) On any day, Monday through Saturday, before 9:00 a.m. or after 11:00 p.m.
- (b) Any person who shall violate the provisions of this section shall upon conviction of any such violation be subject to a fine not to exceed \$500 or by imprisonment not to exceed six months or by both fine and imprisonment.

SECTION 3: This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

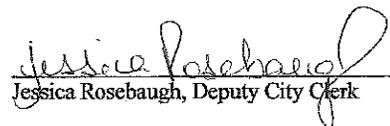
SECTION 4: This ordinance shall take effect 61 days after final publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in K.S.A. 41-2911, in which case the ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 7th day of January, 2014.



Tom Naasz, Mayor

Attest:



Jessica Rosebaugh, Deputy City Clerk