

ORDINANCE NO. 2019-3146

AN ORDINANCE REGULATING THE SALE OF CEREAL MALT BEVERAGES AND BEER WITHIN THE CITY OF CONCORDIA, KANSAS; REPEALING SECTIONS 3-301 AND 3-304 OF CHAPTER III; AND AMENDING THE CONCORDIA CODE, BY ADDING NEW SECTIONS 3-301 AND 3-304 OF CHAPTER III.

BE IT ORDAINED by the governing body of the City of Concordia, Kansas:

SECTION 1. Sections 3-301 and 3-304 of Chapter III of the Code of Ordinances of the City of Concordia is hereby repealed as of the effective date set forth below.

SECTION 2. The Code of Ordinances of the City of Concordia is hereby amended, by adding new Sections 3-301 and 3-304 of Chapter III, which shall read as follows:

3-301. Definitions.

“Cereal malt beverage and beer” shall have the same meaning as such term is defined in K.S.A. 41-2701, and amendments thereto, except that for the purposes of the Kansas retailers’ sales tax act and for no other purpose, 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.

3-304. Sales restricted during certain hours.

(a) Pursuant to K.S.A. 41-712, the sale of retail alcoholic liquor in the original package is allowed within the City as follows:

- (1) Monday through Saturday between 9:00 o’clock a.m. and 11:00 o’clock p.m., except on Thanksgiving Day and Christmas Day.
- (2) Sunday between the hours of 12:00 o’clock noon and 8:00 o’clock p.m. except on Easter and Christmas Day.

(a) Pursuant to K.S.A. 41-2704, the sale of cereal malt beverages in the original package is allowed within the City as follows:

- (1) Monday through Saturday between 9:00 o’clock a.m. and 11:00 o’clock p.m., except on Thanksgiving Day and Christmas Day.
- (2) Sunday between the hours of 12:00 o’clock noon and 8:00 o’clock p.m. except on Easter and Christmas Day.

SECTION 3. This ordinance shall be summarized for publication as follows:

On February 6, 2019, the City of Concordia adopted Ordinance No. 2019-3146, regulating the sale of cereal malt beverages and beer. A reproduction of this ordinance will be available for not less than one week following the publication of this summary of the ordinance at the website address of the City of Concordia, <http://www.concordiaks.org>. This summary is certified by the city attorney to be legally accurate and sufficient.

SECTION 4. This ordinance shall be in full force and effect after April 1, 2019. The provisions hereof are severable, and in the event of invalidity, for any reason, of any portion of this ordinance, the remaining provisions of the ordinance shall remain in full force and effect, with the invalid provisions deemed excised.

PASSED by the governing body and signed by the mayor this 6th day of February, 2019.

(Seal)



Mark R. Matthew
Mayor

ATTEST:



Stacey Smith
City Clerk

ORDINANCE CERTIFICATE

I hereby certify that the foregoing is an original ordinance; that said ordinance was passed on the 6th day of February, 2019; that the record of the final vote on its passage is found on page ____ of the minutes journal; that the ordinance summary was published in the Concordia Blade-Empire on the 8th day of February, 2019.

_____, City Clerk