

ORDINANCE NUMBER G-1165

AN ORDINANCE AMENDING ARTICLE I "CEREAL MALT BEVERAGES" AND ARTICLE IV, "MISCELLANEOUS PROVISIONS" OF CHAPTER 605 "ALCOHOLIC BEVERAGES" OF TITLE VI "BUSINESS AND OCCUPATIONS" OF THE CODE OF THE CITY OF JUNCTION CITY, KANSAS AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE AND SALES OF ALCOHOLIC LIQUOR IN THE ORIGINAL PACKAGE ON CERTAIN HOLIDAYS.

WHEREAS, K.S.A. 41-2704 and Section 605.140 of Article I of Chapter 605 of Title VI the Code of the City of Junction City generally prohibit the sale of cereal malt beverage on any Sunday;

WHEREAS, K.S.A. 41-712 generally prohibits the sale of alcoholic liquor in the original package on any Sunday and on Memorial Day, Independence Day, and Labor Day;

WHEREAS, K.S.A. 41-2911 permits cities to expand the legal days of retail sales of cereal malt beverages in the original package 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 in the original package to include Memorial Day, Independence Day and Labor Day.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the City of Junction City, Kansas:

Section 1. That Subsection 3 of Section 605.140 of the Code of the City of Junction City is hereby amended to read as follows:

3. Except as provided by Subsection 4., no cereal malt beverage may be sold or dispensed between the hours of 12:00 Midnight and 6:00 A.M. or consumed between the hours of 12:00 Midnight and 6:00 A.M., or on Easter Sunday, or sold in the original package before 12 noon or after 8 p.m. on Sundays. As an exception to limits on Sunday sales and consumption, a place of business which is licensed to sell cereal malt beverage for consumption on the premises and which is a food service establishment licensed under K.S.A. 36-501 et seq., as amended, may sell cereal malt beverage on Sundays except during the hours of 12:00 Midnight and 6:00 A.M.

Section 2. The following new Article V is added to Chapter 605 "Alcoholic Beverages" of Title VI "Business and Occupations" of The Code of the City of Junction City

ARTICLE V. RETAILER'S LICENSE

SECTION 605.510: - No alcoholic liquor shall be sold at retail by any person within the corporate limits of the city unless such person shall have a license issued by the State Director of

Alcoholic Beverage Control under the provisions of the Kansas Liquor Control Act, being K.S.A. Chapter 41, Articles 1 through 11.

SECTION 605.520: No person shall sell at retail alcoholic liquor in the original package:

- (1) On Sundays before 12 noon or after 8 p.m.;
- (2) On Easter Sunday, Thanksgiving Day or Christmas Day; or
- (3) Before 9 a.m. or after 11 p.m. on any other day when the sale is permitted.

Section 3. Effective Date. 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 this ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED by the Governing Body of the City on January 6, 2015 and signed by the Mayor.



Tyler Ficken
Tyler Ficken, City Clerk

Michael L. Ryan
Michael L. Ryan, Mayor