

(First published in The Sabetha Herald on June 6, 2007)

ORDINANCE _____

AN ORDINANCE AMENDING IN PART PORTIONS OF THE CURRENT CODE OF THE CITY OF SABETHA, KANSAS, REGULATING CEREAL MALT BEVERAGE SALES AND ALCOHOLIC BEVERAGE SALES WITHIN THE JURISDICTION OF THE CITY OF SABETHA, KANSAS.

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

Section 1. That Section 3-209, Chapter III, Article 2. of the Code of the City of Sabetha is hereby repealed and the following adopted in its place and stead, including any other provisions of said City Code which are inconsistent with the provisions herein:

Section 3-209. License Suspension/Revocation By Governing Body. The governing body of the city, upon five days' written notice, to a person holding a license to sell cereal malt beverages may permanently revoke or cause to be suspended for a period not to exceed 30 days such license for any of the following reasons:

(a) The licensee has fraudulently obtained the license by giving false information in the application therefor;

(b) The licensee has violated any of the provisions of this article or has become ineligible to obtain a license under this article;

(c) Drunkenness of the licensee or permitting any intoxicated person to remain in or upon the licensee's place of business;

(d) The sale of cereal malt beverages to any person under the legal age for consumption of cereal malt beverage;

(e) The nonpayment of any license fees;

(f) Permitting any gambling in or upon the licensee's place of business;

(g) Permitting any person to mix drinks with materials purchased in or upon the place of business or brought in for that purpose;

(h) The employment of persons under 18 years of age in dispensing or selling cereal malt beverages;

(i) The employment or continuation in employment of a person in connection with the sale, serving or dispensing of cereal malt beverages if the licensee knows such person has been, within the preceding two years, adjudged guilty of a felony or of any violation of the intoxicating liquor laws of this state, another state or the United States;

(j) The sale or possession of, or permitting any person to use or consume on the licensed premises, any alcoholic liquor as defined by K.S.A. 41-102, and amendments thereto;

(k) The licensee has been convicted of a violation of the beer and cereal malt beverage keg registration act;

(l) There has been a violation of K.S.A. 21-4106 or 21-4107, and amendments thereto, in or upon the licensee's place of business;

(m) The provisions of subsections (g) and (j) shall not apply if the place of business or premises also are currently licensed as a club or drinking establishment pursuant to the club and drinking establishment act.

Section 2. That this ordinance shall become effective after publication once in the official public newspaper.

PASSED BY THE GOVERNING BODY and signed by the Mayor of the City of Sabetha, Nemaha County, Kansas, this ____ day of _____, 2007.

Dave Emert, Mayor

Attest: _____
Linda Lehman, City Clerk