

City of La Cygne, Kansas
ORDINANCE NO. 1458

AN ORDINANCE AMENDING CHAPTER III (BEVERAGES), ARTICLE 3, BY AMENDING SECTIONS 3-308 AND 3-309 OF THE CODE OF THE CITY OF LA CYGNE, KANSAS, RELATING TO TEMPORARY PERMITS FOR THE SALE AND SERVING OF ALCOHOLIC BEVERAGES AND PENALTY.

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

Section 1. That Section 3-308 and 3-309 of Chapter III (BEVERAGES), Article 3 (ALCOHOLIC LIQUOR) is hereby added to read:

3-308 CITY TEMPORARY PERMIT FOR THE SALES AND SERVING OF ALCOHOLIC BEVERAGES.

A. *PERMIT REQUIRED.*

1. It shall be unlawful for any person granted a temporary permit by the State of Kansas to sell or serve any alcoholic liquor within the City without first obtaining a City temporary permit from the City Clerk.
2. It shall be unlawful for any person to sell or serve any alcoholic liquor on any public property or in any public building the City without first obtaining a City temporary permit from the City Clerk. City Permit shall be limited to the La Cygne Community Park and the La Cygne Community Building.

B. *CITY TEMPORARY PERMIT.* It shall be unlawful for any person to conduct an event under a state issued temporary permit without first applying for a City temporary permit at least (30) days before the event. Written application for the City temporary permit shall be made to the City Clerk and shall clearly state:

- (1) the name of the applicant;
- (2) the group for which the event is planned;
- (3) the location of the event;
- (4) the date and time of the event;
- (5) any anticipated need for Police, Fire or other municipal services.

Upon presentation of a state temporary permit, payment of the City's temporary permit fee and a written application, the City Council and/or La Cygne Community Park Board may approve and the City Clerk may issue a City temporary permit to the applicant if there are no conflicts with any zoning or other ordinances of the City.

A temporary permit shall be issued for a period of time not to exceed three (3) consecutive days, the dates and hours of which will be specified in the State permit. Not more than four (4) temporary permits may be issued to any one (1) applicant in a calendar year. A temporary permit shall not be transferable or assignable.

The City Clerk shall notify the Chief of Police whenever a temporary permit has been issued and forward a copy of the permit and application to the Chief of Police.

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- C. **PERMIT REGULATIONS.** No temporary permit holder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of 12:00 a.m. and 9:00 a.m. at any event for which a temporary permit has been issued. No alcoholic beverages shall be given, sold or traded to any person under 21 years of age.
1. Every temporary permit holder shall cause the temporary permit receipt to be placed in plain view on any premises within the City where the holder of the temporary permit is serving or mixing alcoholic liquor for on the premises.
 2. No alcoholic beverages shall be given, sold or traded to any person under 21 years of age.
- D. **PERMIT FEE.** There is hereby levied a temporary permit fee, which shall be paid at the time that the City temporary permit application is filed with the City Clerk. Such temporary permit fee shall be twenty-five (\$25.00) per day.

3-309 PENALTY

Any person, firm, partnership, corporation violating any of the provisions of Chapter III, Article 3 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and upon conviction said license issued hereunder shall immediately be revoked.

Section 2. **That** this Ordinance shall take effect and be in full force from and after its publication in the official city newspaper of the City of La Cygne, Kansas.

PASSED by the Council this 16th day of May, 2018
APPROVED by the Mayor this 16th day of May 2018
ADOPTED this 16th day of May 2018

Robert Sullivan, Mayor

ATTEST:

Devona Herrin, City Clerk