

**ORDINANCE NO. 3011**

**AN ORDINANCE AMENDING TITLE VI BUSINESS OCCUPATION, CHAPTER 600 ALCOHOLIC BEVERAGES, ARTICLE I GENERAL PROVISIONS, SECTION 600.020 RESTRICTION ON LOCATION, TO THE MUNICIPAL CODE OF THE CITY OF PAOLA, KANSAS.**

Be it ordained by the City Council of the City of Paola, Kansas, as follows:

**SECTION 1.** That Section 600.020 of the Code of the City of Paola is hereby amended to read as follows:

- A. No alcoholic liquor or cereal malt beverage shall be sold or served by a person holding a license or permit from the City whose licensed premises is located within two hundred (200) feet of any church or school said distance to be measured from the nearest property line of such church or school to the nearest portion of the building on the licensed premises.
- B. The distance location of Subsection (A) above shall not apply to a club, drinking establishment, cereal malt beverage licensee or caterer when the license or permit applicant petitions for and receives a waiver of the distance limitation from the governing body. The governing body shall grant such a waiver only following public notice and hearing and a finding by the governing body that the proximity of the establishment is not adverse to the public welfare or safety.
- C. No license or permit shall be issued for the sale of alcoholic liquor or cereal malt beverage if the building or use does not meet the zoning ordinance requirements of the City or conflicts with other City laws, including building codes, fire codes, and health codes.

**SECTION 2.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 3.** That this ordinance shall become effective after its passage, approval and publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body this 11<sup>th</sup> day of May, 2010.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk