

**ORDINANCE NO. 3014**

**AN ORDINANCE ADDING TITLE VI BUSINESS OCCUPATION, CHAPTER 600 ALCOHOLIC BEVERAGES, ARTICLE VII TEMPORARY PERMITS, SECTION 600.395 CITY TEMPORARY PERMITS FOR THE SALES AND SERVING OF ALCOHOLIC BEVERAGES, 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 600.395 of the Code of the City of Paola is hereby added and shall read as follows:

**SECTION 600.395 CITY TEMPORARY PERMITS 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 in the city without first obtaining a city temporary permit from the City Clerk.

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 thirty (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 Manager 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 applicant in a calendar year. A temporary permit shall not be transferable or assignable

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

C. Permit Fee.

There is hereby levied a city temporary permit fee, which fee shall be paid at the time that the city temporary permit application is filed with the City Clerk. Such city temporary permit fee shall be \$25.00 per day.

D. Permit Regulations.

1. Every temporary permit holder shall cause the temporary permit 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 on the premises.
2. No temporary permit holder shall allow the serving, mixing or consumption of alcoholic liquor between the hours of midnight and 9:00 a.m. at any event for which a temporary permit has been issued.
3. No alcoholic beverages shall be given, sold or traded to any person under twenty-one (21) years of age.

E. Sections 600.100 and 600.300 prohibiting possession and consumption of alcoholic beverages and cereal malt beverages in public shall be and are hereby amended by the terms and provisions of a temporary permit issued as provided for herein.

**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