

**ORDINANCE NO. 3031**

**AN ORDINANCE AMENDING TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 600: ALCOHOLIC BEVERAGES, OF 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 TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 600: ALCOHOLIC BEVERAGES, ARTICLE II. ALCOHOLIC BEVERAGES, SECTION 600.065: LICENSE FEE is hereby added and shall read as follows:

**SECTION 600.065: LICENSE FEE**

- A. There is hereby levied a biennial license fee in the amount of five hundred dollars (\$500.00) on each Retail Liquor Store located in the City which has a retailers license issued by the State Director of Alcoholic Beverage Control.
- B. Said biennial license fee shall be paid in two installments of \$250.00 each. The first installment shall be due before business is begun under an original or renewal of a State license and the second installment shall be due one year from the date of issuance of the State license. Failure to pay the full amount due under this paragraph on the date it is due shall result in the automatic cancellation of such license for the remainder of the license term.
- C. All applications for new or renewal City licenses shall be submitted to the City Clerk. Upon presentation of a State license, payment of the City license fee and the license application, the City Clerk shall issue a City license for the period covered by the State license, if there are no conflicts with any zoning, fire safety, or alcoholic beverage ordinances of the City.
- D. The license period shall extend for the period covered by the State license. No license fee shall be refunded for any reason.
- E. Every licensee shall cause the City license to be placed in plain view next to or below the State license in a conspicuous place on the licensed premises.

**SECTION 2.** That TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 600: ALCOHOLIC BEVERAGES, ARTICLE III. PRIVATE CLUBS, SECTION 600.130: LICENSE FEE is hereby enacted in its place to read as follows:

**SECTION 600.130: LICENSE FEE**

- A. There is hereby levied a biennial license fee on each private club located in the City which has a private club license issued by the State Director of Alcoholic Beverage Control. The City license fee for a Class A Club shall be five hundred dollars (\$500.00) and the city license fee for a Class B Club shall be five hundred dollars (\$500.00) provided however, any non-profit social, fraternal or war veterans' club shall be exempt from said license fee.
- B. Said biennial license fee shall be paid in two installments of \$250.00 each. The first installment shall be due before business is begun under an original or renewal of a State license and the second installment shall be due one year from the date of

issuance of the State license. Failure to pay the full amount due under this paragraph on the date it is due shall result in the automatic cancellation of such license for the remainder of the license term.

- C. All applications for new or renewal City licenses shall be submitted to the City Clerk. Upon presentation of a State license, payment of the City license fee and the license application, the City Clerk shall issue a City license for the period covered by the State license, if there are no conflicts with any zoning, fire safety, or alcoholic beverage ordinances of the City.
- D. The license period shall extend for the period covered by the State license. No license fee shall be refunded for any reason.
- E. Every licensee shall cause the City license to be placed in plain view next to or below the State license in a conspicuous place on the licensed premises.

**SECTION 3.** That TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 600: ALCOHOLIC BEVERAGES, ARTICLE V. DRINKING ESTABLISHMENTS, SECTION 600.340: LICENSE FEE is hereby enacted in its place to read as follows:

**SECTION 600.340: LICENSE FEE**

- A. There is hereby levied a biennial license fee in the amount of five hundred dollars (\$500.00) on each drinking establishment located in the City which has a drinking establishment license issued by the State Director of Alcoholic Beverage Control.
- B. Said biennial license fee shall be paid in two installments of \$250.00 each. The first installment shall be due before business is begun under an original or renewal of a State license and the second installment shall be due one year from the date of issuance of the State license. Failure to pay the full amount due under this paragraph on the date it is due shall result in the automatic cancellation of such license for the remainder of the license term.
- C. All applications for new or renewal City licenses shall be submitted to the City Clerk. Upon presentation of a State license, payment of the City license fee and the license application, the City Clerk shall issue a City license for the period covered by the State license, if there are no conflicts with any zoning, fire safety, or alcoholic beverage ordinances of the City.
- D. The license period shall extend for the period covered by the State license. No license fee shall be refunded for any reason.
- E. Every licensee shall cause the City license to be placed in plain view next to or below the State license in a conspicuous place on the licensed premises.

**SECTION 4.** That TITLE VI. BUSINESS AND OCCUPATION, CHAPTER 600: ALCOHOLIC BEVERAGES, ARTICLE IV. CATERER SERVICE, SECTION 600.360: LICENSE FEE is hereby enacted in its place to read as follows:

**SECTION 600.360: LICENSE FEE**

- A. There is hereby levied a biennial license fee in the amount of five hundred dollars (\$500.00) on each caterer doing business in the City who has a caterer's license issued by the State Director of Alcoholic Beverage Control.
- B. Said biennial license fee shall be paid in two installments of \$250.00 each. The first

installment shall be due before business is begun under an original or renewal of a State license and the second installment shall be due one year from the date of issuance of the State license. Failure to pay the full amount due under this paragraph on the date it is due shall result in the automatic cancellation of such license for the remainder of the license term.

- C. All applications for new or renewal City licenses shall be submitted to the City Clerk. Upon presentation of a State license, payment of the City license fee and the license application, the City Clerk shall issue a City license for the period covered by the State license, if there are no conflicts with any zoning, fire safety, or alcoholic beverage ordinances of the City.
- D. The license period shall extend for the period covered by the State license. No license fee shall be refunded for any reason.
- E. Every licensee shall cause the City license to be placed in plain view next to or below the State license in a conspicuous place on the licensed premises.

**SECTION 5.** Any and all ordinances in conflict herewith are hereby repealed.

**SECTION 6.** This ordinance shall become effective after its passage, approval and publication in the official city newspaper.

**ADOPTED AND APPROVED** by the governing body of the City of Paola, Kansas on March 22, 2011.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk