

ORDINANCE NO. 3036

AN ORDINANCE ADDING TITLE VI BUSINESS OCCUPATION, CHAPTER 600 ALCOHOLIC BEVERAGES, ARTICLE VII PERMITS, SECTION 600.397 SPECIAL EVENT CEREAL MALT BEVERAGE PERMITS 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 TITLE VI BUSINESS OCCUPATION, CHAPTER 600 ALCOHOLIC BEVERAGES, ARTICLE VII PERMITS, SECTION 600.397 SPECIAL EVENT CEREAL MALT BEVERAGE PERMITS of the Code of the City of Paola is hereby added and shall read as follows:

SECTION 600.397: SPECIAL EVENT CEREAL MALT BEVERAGE PERMITS

A. PERMIT REQUIRED.

It shall be unlawful for any person to sell or serve any cereal malt beverages at any special event within the city without first obtaining a local special event permit from the city clerk.

B. PERMIT FEE.

1. There is hereby levied a special event permit fee in the amount of \$25.00 per day (4 days maximum) on each group or individual, which fee shall be paid before the event begins. Such fee shall be in addition to the \$25.00 Cereal Malt Beverage Stamp Fee to be remitted to the Division of Alcohol Beverage Control.
2. Every special event permit holder shall cause the permit receipt to be placed in plain view on any premises within the city where the holder of the special event permit is serving cereal malt beverages for consumption on the premises.

C. CITY SPECIAL EVENT PERMIT.

1. It shall be unlawful for any person to serve cereal malt beverages at a special event without first applying for a local special event permit at least 30 days before the event. Written application for the local special event permit shall be made to the city clerk on the form used for annual cereal malt beverage sales as directed by the city clerk. In addition to any other information required, the applicant shall provide the following:
 - a. the name of the applicant;

- b. the group for which the event is planned;
 - c. the location of the event;
 - d. the date and time of the event;
 - e. any anticipated need for police, fire or other municipal services.
2. Upon meeting the requirements to obtain a special event permit, the city clerk shall issue a local special event permit to the applicant if there are no conflicts with any zoning or other ordinances of the city.
 3. The city clerk shall notify the chief of police whenever a special event permit has been issued and forward a copy of the permit and application to the chief of police.

D. PERMIT REGULATIONS.

1. No special event permit holder shall allow the serving of cereal malt beverages between the hours of 12:00 a.m. and 6:00 a.m. at any event for which a special event permit has been issued.
2. No cereal malt beverages shall be given, sold or traded to any person under 21 years of age.
3. No more than four special event permits may be issued in a calendar year to the same applicant.
4. No special event permit issued hereunder may be transferred or assigned to any other vendor.
5. All local ordinances and state statutes for the sale and consumption of cereal malt beverages apply to holders of special event permits.

SECTION 2. 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 23rd day of August, 2011.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk