

ORDINANCE NO. 873

AN ORDINANCE AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE WITHIN THE CITY OF BURLINGTON, KANSAS, AND AMENDING THE CODE OF THE CITY OF BURLINGTON, KANSAS - CHAPTER III BEVERAGES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS:

Section 1. Pursuant to K.S.A. 41-2704, the sale at retail of cereal malt beverage in the original package is allowed within the city on any Sunday, except Easter Sunday, between the hours of 9:00 a.m. and 8:00 p.m.

Section 2. Pursuant to K.S.A. 41-712, the sale at retail of alcoholic liquor in the original package is allowed within the city on any Sunday, except Easter Sunday, between the hours of 9:00 a.m. and 8:00 p.m.

Section 3. Chapter 3 Beverages, Article 2 Cereal Malt Beverages, Section 3-216 Business Regulations, Subsection (c), is hereby repealed in its entirety and replaced with:

(c) Except as provided by division (d) below, no cereal malt beverage may be sold or dispensed between the hours of 12:00 midnight and 6:00 a.m., or consumed between the hours of 12:00 midnight and 6:00 a.m., except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises; closing hours for clubs shall conform to K.S.A. 41-2614, and any amendments thereto.

Section 4. Chapter 3 Beverages, Article 3 Alcoholic Liquor, Section 3-304 Hours of Sale, is hereby repealed in its entirety and replaced with:

3-304 HOURS OF SALE.

No person shall sell at retail any alcoholic liquor:

- (a) On Easter Sunday, Thanksgiving Day and Christmas Day; and
- (b) Before 9:00 a.m. or after 11:00 p.m. on any day when the sale thereof is permitted. (K.S.A. 41-712).

Section 5. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

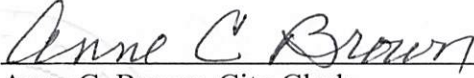
Section 6. This ordinance shall take effect 61 days after final publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in K.S.A. 41-2911, in which case this ordinance shall become effective upon approval by a majority of the electors voting thereon.

Passed and approved by the city council on this 21st day of July, 2021, and signed by the mayor on the 21 day of July, 2021



Robert S. Luke, Mayor

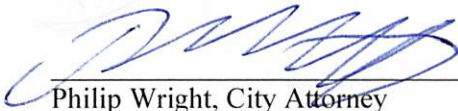
ATTEST:



Anne C. Brown, City Clerk

(SEAL)

Approved as to form:



Philip Wright, City Attorney