

ORDINANCE NO. 1789

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF WAMEGO, KANSAS, AMENDING CHAPTER III. BEVERAGES, OF THE CODE OF THE CITY OF WAMEGO, KANSAS, TO ESTABLISH A CITY OF WAMEGO OCCUPATIONAL TAX OF \$600 FOR STATE ALCOHOLIC LIQUOR LICENSED ESTABLISHMENTS LOCATED IN THE CITY, TO ELIMINATE CITY PROVISIONS GOVERNING THE SALE OF ALCOHOLIC LIQUOR WHERE ALREADY ADDRESSED AND IN EFFECT UNDER THE KANSAS LIQUOR CONTROL ACT, KSA 41-101 ET SEQ.; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Section 1. That Article 3. Alcoholic Liquor of the Code of the City of Wamego, Kansas, be and the same is hereby amended to read as follows:

ARTICLE 3. ALCOHOLIC LIQUOR

- 3-301 ALCOHOLIC LIQUOR SALES, CITY OCCUPATIONAL TAX, POSTING OF RECEIPT.
- a) The sale of alcoholic liquor, as defined under KSA 41-102 is governed by the "Kansas Liquor Control Act" at KSA Chapter 41.
 - b) There is hereby levied an occupational tax on each establishment required to hold a license under said Kansas Liquor Control Act, located in the city and holding a license issued by the state director of alcoholic beverage control. This tax shall be paid before any business is begun under an original state license and within five days after any renewal of a state license, except for a licensed caterer. Caterers licensed with the State of Kansas, shall have the option of occupational tax of \$600, or a temporary license for \$25 per each event. The city occupational tax for any such establishment shall be \$600 for the duration of the state license
 - c) The holder of a state license for sale of alcoholic liquor issued by the state director of alcoholic beverage control shall present such license to the city clerk when applying to pay the occupational tax levied under (b) herein and the tax shall be received, and a receipt shall be issued for the period covered by the state license.
 - d) Every licensee under this article shall cause the city alcoholic liquor occupational tax receipt to be posted in plain view, next to or below the state license in a conspicuous place on the licensed premises.
- 3-302 HOURS OF SALE, PACKAGED ALCOHOLIC LIQUOR.
- Pursuant to KSA 41-712 referencing KSA 41-2911(b), no person shall sell at retail alcoholic liquor in the original package in the city:
- a) On a Sunday, before 12 noon or after 8pm
 - b) On Easter Sunday, Thanksgiving Day or Christmas Day
 - c) Before 9am or after 11pm on any day when the sale is permitted

3-303

TEMPORARY PERMITS, CITY OCCUPATIONAL TAX, POSTING OF RECEIPT.

- a) There is hereby levied a temporary occupational tax in the amount of \$25 per day on each group or individual holding a temporary permit for the sale of alcoholic liquor, issued by the state director of alcoholic beverage control, authorizing sales within the city.
- b) The holder of said state temporary permit shall present such permit to the city clerk when applying to pay the temporary occupational tax levied under (a) herein and the tax shall be received, and a receipt shall be issued for the period covered by the state permit.
- c) Every temporary permit holder under this article shall cause the city temporary occupational tax receipt to be posted in plain view, next to or below the state permit in a conspicuous place on the subject premises.

Section 2. That existing Article 4. Private Clubs, Article 5. Drinking Establishments, Article 6. Caterers, and Article 7. Temporary Permits of Chapter III. Beverages, of the Code of the City of Wamego, Kansas, are hereby repealed.

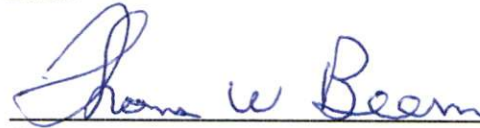
Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. That this Ordinance shall take effect and be in force from and after its passage and publication in the City's official paper, the Times.


Section 5. The above and foregoing Ordinance passed and adopted by the Governing Body of the City of Wamego, this 21st day of March 2023.



ATTEST:



Thomas W. Beem, Mayor



Shanda Jahnke, City Clerk