

Section 10. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be fined not exceeding One Hundred Dollars \$100.00 or imprisoned not exceeding three months, or by both such fine and imprisonment.

Section 11. If any Court should declare any clause, provision, sentence, phrase or section of this act unconstitutional, such decision shall affect only such clause, sentence, phrase or section so declared unconstitutional, and shall not affect any other clause, sentence, ~~xxxxx~~ phrase or section of this ordinance.

This ordinance shall take effect and be in force from and after its publication in the Barber County Index at Medicine Lodge, Kansas.

PASSED AND APPROVED this % 4 day of May, 1937.

E. Bullock
Mayor

ATTEST:

J. L. Landermill
City Clerk

ORDINANCE NO 28 T

AN ORDINANCE regulating the sale of cereal malt beverages, providing for the licensing of persons selling the same, prescribing license fees, prescribing rules and regulations, providing for the revocation of licenses, and providing penalties for the violation of this ordinance.

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

Section 1. The words " sale at retail" or "retail sale" or "retail" shall mean a sale for use or consumption and not for resale, wherever used in this ordinance.

Section 2. No person shall sell any cereal malt beverage at retail without having first secured a license for each place of business which such person desires to operate within the corporate limits of this city, as herein provided.

Section 3. There is hereby prescribed license fees

~~to be as follows:~~

(1) To retail cereal malt beverages \$ 30⁰⁰ per calendar year.

The full amount of the license fee shall be required regardless of the time of year in which the application is made, and the licensee shall be authorized only to operate under the license for the remained of the calendar year in which such license is issued. Such license shall expire on the 1st day of January of each year.

Section 4. ~~XXXXXX~~ Any person desiring a license shall make an application to the governing body of the City on a form prescribed by the attorney general, and accompany the application by the required license fee, in cash, for each place of business for which the person desires the license.

by cash in the amount of the license fee, the governing body of the city shall examine the application, and after so doing the governing body of the city, shall, if they approve the same, issue a license to the applicant; provided that no license shall be issued to a person who is not a resident of said city, nor to a person who is not of good moral character and reputation in the community in which he resides, nor to any person who shall not fulfill all the requirements contained in the provisions of

House Bill No. 587 enacted by the Legislature of the State of
Governing Body
Kansas, 1937 Session. The ~~XXXXXX~~ shall not issue any such
license until the location of the place of business is app-
roved by the Governing body.

Section 6. The Journal of the Governing Body shall
show the action taken, and if the license is granted the gov-
erning body shall direct the city Clerk to execute such license.
The license shall not be transferrable, and shall be kept in a
conspicuous place in such place of business. .

Section 7. No cereal malt beverage may be sold between
the hours of 12 midnight and 6 A.M.
or on Sunday or any election day. No cereal malt beverage may
be ~~XXXXXX~~ drunk in the place of business so licensed between
the hours of 12 midnight and 6 A.M. or
on Sunday or any election day. No private rooms or closed booths
shall be operated in any such place of business. The place of
business shall be open to the public and the police at all times
during business hours. No person under eighteen years of age
shall be permitted to sell, buy or drink any such beverage in
or about such place of business.

Section 8. The Governing body of the City of Sun City,

Kansas, upon five days notice to the person holding such license, shall revoke such license for any one of the following reasons:

- (a) If a licensee has fraudulently obtained the license by giving false information in the application therefor.
- (b) If the licensee has violated any of the provisions of this ordinance or any other ordinance of the City prescribing rules and regulations relating to cereal malt beverages.

(c) If the licensee has violated any of the laws of the State of Kansas for which violation the city is authorized by law to revoke such license.

(d) If the licensee has become ineligible to obtain a license.

(e) Drunkenness of the person holding such license or permitting any intoxicated person to remain in such place.

(f) The sale of cereal malt beverage to any person under the age of eighteen years.

(g) The non-payment of any license fees.

(h) For permitting any gambling in or upon such premises.

(i) For permitting any person to mix drinks with materials purchased in said place of business or brought in for such purpose.

(j) For the employment of persons under eighteen years of age in dispensing cereal malt beverages.

(k) For the employment of persons who have been adjudged guilty of felony or of any violation of the intoxicating liquor law.

(l) For purchasing or displaying a federal retail liquor tax stamp, expiring after June 30th, 1937, issued by the United States Treasury Department, except where issued for industrial, mechanical, scientific and medicinal purposes.

In case of the revocation of the license of any licensee, no new license shall be issued to such person or any person acting for or on his behalf, for a period of six months thereafter.

Section 9. Nothing herein shall be construed to authorize or permit a licensee to furnish so called "curb service" and it is hereby prohibited. The place of business and the equipment used in connection with the cereal malt beverage business shall be kept in a clean and sanitary condition, and said place of business shall be kept open to inspection by said City. The licensee shall post a notice that "spiking" is prohibited.