

ORDINANCE NO. 887

**AN ORDINANCE PERTAINING TO APPLICATIONS
FOR LICENSES FOR DRINKING ESTABLISHMENTS**

Now therefore, be it ordained by the Governing Body of the City of Sedan, Kansas:

Section 1.

License Required:

It shall be unlawful for any person to operate a drinking establishment without having first obtained a license by the State of Kansas and a license issued by the city. For purposes of this ordinance, the meaning and definition of words and phrases used shall be consistent with corresponding state statutes and regulations.

Section 2.

Application:

A true and correct copy of the application submitted to the State of Kansas shall serve as the application for the city license.

Section 3.

License Fee:

A license fee of \$500.00 shall be submitted with any new or renewal license application for a drinking establishment. No license fee shall be refunded for any reason.

Section 4.

Application Process:

All applications for a new or renewal city license for a drinking establishment shall be

submitted to the City Clerk. Upon presentation of a state license, payment of the city license fee, and submission of the proper application, the City Clerk shall issue a city license for the drinking establishment for the same period of time covered by the state license, so long as there are no conflicts within any zoning or alcoholic beverage ordinances of the city.

Section 5.

Display of License:

Every person receiving a city drinking establishment license shall cause the license to be displayed in a conspicuous place on the licensed premises.

Section 6.

Inspection:

Any premises out of which a drinking establishment is licensed to operate shall be open to inspection by any law enforcement officer during business hours.

Section 7.

Suspension or Revocation:

The Governing Body, upon five days' written notice to a person holding a license to operate a drinking establishment and with an opportunity to be heard, may suspend or revoke such license for any of the following reasons:

1. The giving of fraudulent or false information in the license application;
2. Violation of any state law, regulation or city ordinance pertaining to alcoholic beverages;
3. The licensee has become ineligible to hold a license under this ordinance or under a corresponding state law or regulation.

Section 8.

Appeal:

The licensee, within thirty days after the order of the Governing Body suspending or revoking any drinking establishment license, may appeal to the district court as provided by KSA 60-2101. Any appeal so taken shall not stay the order of suspension or revocation of the license nor shall any new license be issued to such person, or any person acting for or on his or her behalf, for a period of six months thereafter.

Section 9.

Penalty:

Any violation of this ordinance shall constitute a Class A misdemeanor punishable by a fine of not less than \$1,000.00 nor more than \$2,500.00 and/or a jail sentence not to exceed one year, or both such fine and jail sentence.

Section 10.

Repeal:

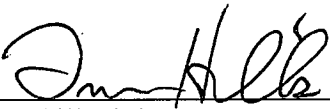
All previous ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 11.

Effective Date:

This ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the Governing Body of the City of Sedan, Kansas, on the 16th day of September, 2013.



Tim Hills, Mayor

ATTEST:



Sherry L. Miller, City Clerk