

ORDINANCE NO. 1672

AN ORDINANCE AUTHORIZING SUNDAY SALES OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGE IN THE ORIGINAL PACKAGE WITHIN THE CITY OF COLBY, AND AMENDING THE CODE OF THE CITY OF COLBY, KANSAS, 2017 CHAPTER III, ARTICLE 2: CEREAL MALT BEVERAGES §3-215(c) AND ARTICLE §3-304.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLBY, 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, 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, between the hours of 9:00 a.m. and 8:00 p.m.

Section 3. Chapter III Article 2: Cereal Malt Beverages Business Regulations §3-215(c). Is Amended as follows:

(c) Except as provided by subsection (d), no enhanced cereal malt beverages may be sold or dispensed between the hours of 12:00 midnight and 6:00 a.m., or consumed between the hours of 12:30 a.m., and 6:00 a.m., or on Sunday after 8:00 p.m. or on Easter Sunday, 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 percent 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 amendments thereto. K.S.A. 41-2704 (Ord.No. 1672 passed 09-17-2024)

Section 4. Chapter III Article 2: Cereal Malt Beverages Business Regulations §3-215(c) is hereby repealed.

Section 5. Chapter III Article 3: Alcoholic Liquor §3-304 Hours of Sale Is Amended as follows:

No person shall sell at retail any alcoholic liquor:

- (a) On Easter Sunday;
- (b) On Decoration Day or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day; and/or

- (c) Before 9:00 a.m. or after 11:00 p.m. on any day when the sale thereof is permitted, except Sundays when sales end at 8:00 p.m.
(K.S.A. 41-712) (Ord. 1560, passed 12-1-2015) (Ord. No. 1672, passed 09-17-2024)

Section 6. Chapter III Article 3: Alcoholic Liquor §3-304 Hours of Sale is hereby repealed.

Section 7. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 8. 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 by the city council this 17th day of September, 2024, and signed by the mayor on the 17th day of September, 2024

Lee Leiker, Mayor

ATTEST:

Joni Ketchum, City Clerk

[SEAL]