

(Published in the Cunningham Courier, the official City newspaper, March 28, 2019)

ORDINANCE NO. 668

AN ORDINANCE CREATING SECTION 3-217 OF THE CODE OF THE CITY OF CUNNINGHAM REGULATING THE SALE OF CEREAL MALT BEVERAGE AND BEER CONTAINING NOT MORE THAN 6% ALCOHOL BY VOLUME WITHIN THE CITY OF CUNNINGHAM, KANSAS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CUNNINGHAM:

Section 1. Section 3-217 of the Code of the City of Cunningham shall be created to read as follows:

“§ 3-217 ENHANCED CEREAL MALT BEVERAGE

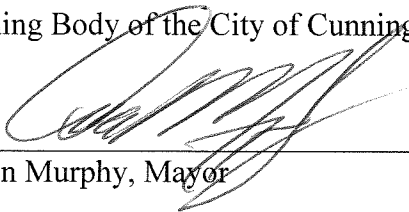
- (a) **DEFINITION.** Enhanced Cereal Malt Beverage means cereal malt beverage as that term is defined in K.S.A. 41-2701, and amendments thereto, and such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.
- (b) **LICENSE ISSUED BY CITY.** The license to sell cereal malt beverage issued by the City of Cunningham pursuant to Section 3-201, *et seq.*, shall also authorize the sale of enhanced cereal malt beverage by those retailers in compliance with other laws, ordinances, and regulations that may apply to a license required to sell cereal malt beverages. The provisions of Chapter III, Article 2 of the Code of the City of Cunningham shall also apply to the sale of enhanced cereal malt beverage.
- (c) **LICENSE REQUIRED OF RETAILER.**
- (1) It shall be unlawful for any person to sell any enhanced cereal malt beverage at retail without a license for each place of business where enhanced cereal malt beverages are to be sold at retail.
- (2) It shall be unlawful for any person, having a license to sell enhanced cereal malt beverages at retail only in the original and unopened containers and not for consumption on the premises, to sell any enhanced cereal malt beverage in any other manner.”

Section 2. This ordinance shall be published one time in the official city newspaper.

Section 3. This ordinance shall take effect and be in force from and after April 1, 2019.

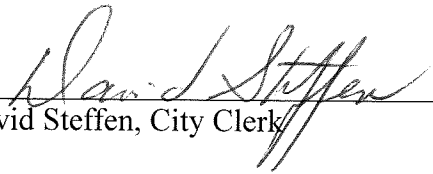
Passed by the Governing Body of the City of Cunningham, Kansas, this 25th day of March, 2019.

Governing Body of the City of Cunningham

By 

Aaron Murphy, Mayor

ATTEST



David Steffen, City Clerk

[SEAL]

