

**ORDINANCE NO. 1754**

**AN ORDINANCE AMENDING CHAPTER THREE, ARTICLE SIX, PERTAINING TO TEMPORARY PERMITS FOR SERVING OR MIXING ALCOHOLIC LIQUOR FOR CONSUMPTION ON THE PREMISES, WITHIN THE CITY OF NORTON, KANSAS**

WHEREAS during the 2022 session, the Kansas legislature passed, and the Governor approved Kansas Senate Bill No. 2, which amended KSA § 41-1201 pertaining to temporary liquor permits statewide. Such amendments became effective July 1, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NORTON, KANSAS, A MUNICIPAL CORPORATION, AS FOLLOWS:

Section 1. Chapter Three, Article Six, Section Two of Norton City Code will be amended read as follows:

**3-602. PERMIT FEE.**

a. There is hereby levied a temporary permit fee in the amount of \$25.00 per day on each group or individual holding a temporary permit issued by the state director of alcoholic beverage control authorizing sales within the city, which fee shall be paid before the event is begun under the state permit.

b. Every temporary permit holder shall cause the temporary permit receipt to be placed in plain view on any premises within the city where the holder of the temporary permit is serving or mixing alcoholic liquor for consumption on the premises.

Section 2. Chapter Three, Article Six, Section Three of Norton City Code will be amended read as follows:

**3-603. CITY TEMPORARY PERMIT.**

a. It shall be unlawful for any person to conduct an event under a state issued temporary permit without first applying for a local temporary permit at least fourteen days before the event. Written application for the local temporary permit shall be made to the City Clerk and shall clearly state:

1. the name of the applicant;
2. the group for which the event is planned;
3. the location of the event;
4. the date and time of the event;
5. any anticipated need for police, fire or other municipal services.

b. Upon presentation of a state temporary permit, payment of the city's temporary permit fee and a written application as provided for in subsection (a), the City Clerk shall issue a local temporary permit to the applicant if there are no conflicts with any zoning or other ordinances of the city.

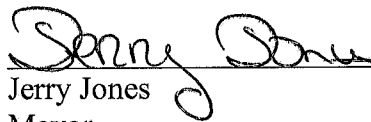
c. The City Clerk shall notify the Chief of Police whenever a temporary permit has been issued and forward a copy of the permit and application to the Chief of Police.

- d. The City Clerk may reject an application if:
1. the applicant has been granted 12 permits in the current calendar year;
  2. the application was not filed with the clerk at least 14 days prior to the event;
  3. the applicant, or any officer, director, partner, registered agent, trustee, manager or owner of the applicant has previously owned or operated any entity holding a temporary permit, club, drinking establishment or caterer's license, had such permit or license surrendered, and at the time such permit or license was surrendered had been ordered to appear and show cause why the permit or license should not be revoked or suspended;
  4. the applicant has designated an area for an event that was the subject of the order to appear and show cause as set forth in (d)(3) above and it appears that the new application for a temporary permit covering the premises is an attempt to avoid any possible remedial action taken by the State against the former permit or license holder;
  5. the applicant has had a license or permit revoked under the club and drinking establishment act, or has been convicted of a violation of the Kansas liquor control act, the club and drinking establishment act, the Kansas cereal malt beverage act or the provisions of K.S.A. 79-41a01 et seq., and amendments thereto; or
  6. the applicant has not remitted all liquor drink taxes due from a previous temporary permit.

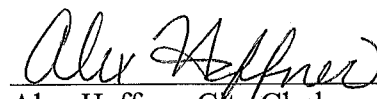
Section 3. That any Ordinance in conflict herewith is repealed.

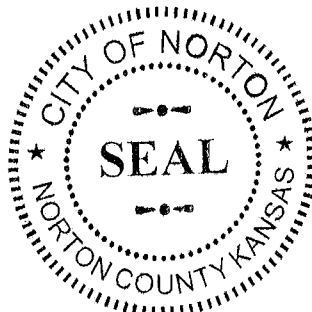
Section 4. This Ordinance shall take effect and be in force from and after its publication in the official city newspaper.

3<sup>rd</sup> PASSED AND APPROVED BY THE GOVERNING BODY of the City of Norton, Kansas, this day of August, 2022.

  
\_\_\_\_\_  
Jerry Jones  
Mayor

ATTEST:

  
\_\_\_\_\_  
Alex Haffner, City Clerk



1<sup>st</sup> Rdg: 7/6/22  
2<sup>nd</sup> Rdg: 7/20/22  
3<sup>rd</sup> Rdg: 8/3/22