

(Published in the McPherson Sentinel _____, 2018, twice)

ORDINANCE NO. 3282

AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS AMENDING CHAPTER 6, ARTICLE III, DIVISION 2, SECTION 153 OF THE CODE OF THE CITY OF MCPHERSON, KANSAS RESTRICTING THE HOURS OF SALE OF ANY ALCOHOLIC LIQUOR WITHIN THE CITY LIMITS OF MCPHERSON, KANSAS.

WHEREAS, under current City Code, it is unlawful for Sunday retail alcohol liquor sales;

WHEREAS, a group of individuals have urged the City to change its Code to permit Sunday retail alcohol liquor sales;

WHEREAS, the governing body believes that this question properly belongs to the voters of the City of McPherson, Kansas;

WHEREAS, the governing body also believes that those individuals wanting to change longstanding McPherson law in this regard should carry the burden of persuasion for the public to make such change; and

WHEREAS, K.S.A. 41-2911(b)(1)(B) provides that if the governing body passes an Ordinance not allowing Sunday sales, such action may be challenged by a sufficient and appropriate petition that would force the issue to a vote of the electorate.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

Section 1. Amendment of Code Section 6-153.

Sec. 6-153. Hours of Sale.

No person shall sell at retail any alcoholic liquor:

- (1) On any Sunday;
- (2) On Decoration Day or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day; or
- (3) Before 9:00 a.m. or after 11:00 p.m. on any day when the sale thereof is permitted.

Section 2. Repeal. All or parts of the Code conflicting with the provisions of this Ordinance are hereby repealed.

Section 3. Effective Date. This ordinance and shall take effect sixty-one (61) days after final publication, unless a sufficient Petition is filed as provided in K.S.A. 41-2911(b)(1), in which case this ordinance shall become effective only upon approval by the majority of the electors voting at an election held thereon.

ADOPTED by the governing body this 10th day of September, 2018.

CITY OF MCPHERSON, KANSAS

Thomas A. Brown, Mayor

[SEAL]

Attest:

Tamra K. Seely, City Clerk