

ORDINANCE NO. 1908

AN ORDINANCE CONCERNING THE SALE AND/OR CONSUMPTION OF CEREAL MALT BEVERAGES ON HIGHWAYS AND PUBLIC PLACES IN THE CITY OF RUSSELL AND PROVIDING THE PENALTIES THEREFORE

BE IT ORDAINED by the Governing Body of the City of Russell, Kansas:

SECTION 1. Section 3-717 of Chapter III of the Code of the City of Russell is hereby amended to read as follows:

3-717. SALE, CONSUMPTION, PUBLIC PLACES.

- (a) It shall be unlawful for any person to sell, serve, dispense, drink or consume any cereal malt beverage upon any street or public place as defined below, inside any vehicle while upon a highway or public place, or upon property owned by the state or any governmental subdivision thereof, or in any public place not licensed to sell cereal malt beverages for consumption on the premises within or under the jurisdiction of the City.
- (b) Street and public place defined. Street and public places shall include streets, highway, alleys and public ways of the city, state and federal highways within the corporate limits of the city, off-street parking facilities of businesses, churches, schools, private and public parking areas, public parks and playgrounds, school playgrounds, church playgrounds, school and church driveways, service stations, drive-in laundries, automobile, implement and machinery sales display lots, but shall not include the area within the boundaries of Russell Municipal Golf Course in Memorial Park, but shall include all other areas in Memorial Park,
- (c) Exceptions to Prohibition. 1) The governing body of the city of Russell shall have the authority to temporarily suspend the prohibition as herein provided as it shall apply to a "highway" or "public place" as defined herein for such period of time and for such purposes as may, by the governing body, be deemed to be in the best interests of the city, and under such terms and conditions as may be prescribed by the governing body; and 2) In conjunction with and subject to the requirements of an approved special event CMB retailer's permit issued pursuant to this chapter, and all applicable laws, it shall be lawful to sell, drink and consume cereal malt beverages within the boundaries of an approved cereal malt beverages special event located upon the public streets, or public place, provided however no cereal malt beverage may be consumed inside vehicles while on public streets or public places.

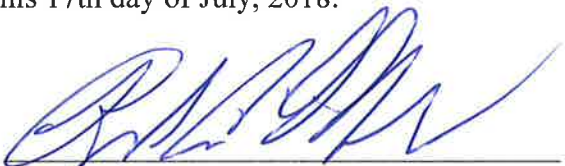
SECTION 2. Section 3-718 of Chapter III of the Code of the City of Russell is hereby adopted to read as follows:

"3.718. Penalties for Violations. Violation for any of the provisions of the foregoing sections is a misdemeanor and upon conviction for such violations may be punishable by a fine in the amount of not less than \$100 nor more than \$250 or by imprisonment for a period of not more than 30 days or by both a fine and imprisonment."

SECTION 3. Effective Date. This Ordinance shall take effect and be in force from and after publication as provided by law.

PASSED by the Governing Body of the City of Russell, Kansas, this 17th day of July, 2018.

APPROVED by the Mayor of the City of Russell, Kansas, this 17th day of July, 2018.

  
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Raymond C. Mader, Mayor

ATTEST:

  
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Katrina Woelk, City Clerk

