

**Ordinance No.   905   Summary**

On March 13, 2019, the City of Wellsville, Kansas, adopted Ordinance No.   905   (to be effective on April 1, 2019) amending the City Code to make it consistent with Kansas State law which, on and after April 1, 2019, will allow licensed retailers to sell 6% cereal malt beverages, whereas prior to April 1, 2019 licensed retailers are limited to selling 3.2% cereal malt beverages.

A Complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 411 Main Street, Wellsville, Kansas or at [www.wellsvilleks.citycode.net](http://www.wellsvilleks.citycode.net). This summary is certified by Patrick G. Reavey, Wellsville City Attorney pursuant to K.S.A. 12-3001, et seq.

**ORDINANCE NO.   905**

**AN ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR A CHANGE IN THE LAW REGARDING SALE OF CEREAL MALT BEVERAGES**

WHEREAS, on and after April 1, 2019, Kansas State law provides that a city issued license -- for the retail sale of cereal malt beverage -- will allow the license holder to sell 6% cereal malt beverage, whereas prior to April 1, 2019, license holders are limited to selling 3.2% cereal malt beverage; and

WHEREAS, it is necessary to amend the City Code to reflect this new State law.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Wellsville:

**Section 1.** Section 3-101 of Article 1 of Chapter III of the Wellsville Code (titled "Definitions") is hereby amended to include a revised definition for "Cereal Malt Beverage", which shall read as follows:

(d) 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 by the City.

**Section 2: Repealer.** Any Ordinances or Code provisions inconsistent herewith are hereby repealed.

**Section 3. Effective Date.** This Ordinance shall take effect on April 1, 2019, after its adoption by the City Council, approval by the Mayor and publication in the City's official newspaper.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WELLSVILLE,  
KANSAS AND APPROVED BY THE MAYOR ON THE 13<sup>TH</sup> DAY OF MARCH, 2019.

(seal)

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BILL LYTLE, Mayor

ATTEST:

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TAMMY JONES  
City Clerk

APPROVED AS TO FORM:

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PATRICK G. REAVEY  
City Attorney