

CHARTER ORDINANCE NO. 7

A CHARTER ORDINANCE EXEMPTING THE CITY OF ABILENE, KANSAS FROM THE PROVISIONS OF K.S.A. 1978 SUPP. 41-719; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS; AND SPECIFICALLY PERMITTING THE CONSUMPTION OF ALCOHOLIC LIQUOR WITHIN THE CONFINES OF CERTAIN BUILDINGS LOCATED TO-WIT: STERL HALL AND THE BAND SHELL.

Be it ordained by the City of Abilene, Kansas that:

SECTION 1. The City of Abilene, Kansas, by the power granted by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt said city from the provisions of K.S.A. 1978 Supp. 41-719 and to provide substitute and additional provisions as set forth in this charter ordinance, said statute being applicable to said city, but not uniformly applicable to all cities.

SECTION 2. It shall be lawful for any person, not otherwise prohibited by the laws of the State of Kansas, to drink and consume alcoholic liquor within the confines of certain buildings located on certain real property, title of which is vested in the City of Abilene, Kansas to-wit: STERL HALL AND THE BAND SHELL.

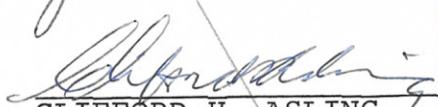
SECTION 3. All provisions of K.S.A. 1978 Supp. 41-719 not specifically modified by this charter ordinance shall remain in full force and effect and be applicable to the City of Abilene, Kansas.

SECTION 4. All contrary provisions contained in the Code of the City of Abilene, Kansas, are hereby repealed.

SECTION 5. This charter ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.

SECTION 6. This charter ordinance shall take effect sixty (60) days after its final publication, unless a sufficient petition for a referendum is filed and a referendum held on this charter ordinance as provided by Article 12, Section 5 (c) (3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective, if approved by the majority of the electors voting thereon.

Passed and adopted by the Governing Body of the City of Abilene, Kansas, this 29th day of May, 1979.


CLIFFORD H. ASLING
Mayor

ATTEST:


MAX F. FOWLER
City Clerk

no further action was taken by Commission

RESOLUTION NO. 81379

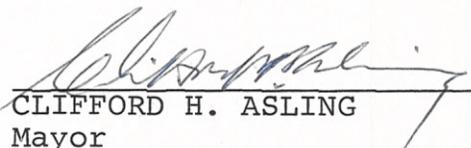
WHEREAS, a sufficient petition has been duly received and certified protesting the enactment of Charter Ordinance No. 7, which relates to the consumption of alcoholic beverages on certain municipal property; and,

WHEREAS, no general election will be held within the time period in which an election on said issue is required to be called; and,

WHEREAS, it is the judgment of the Governing Body of the City of Abilene, Kansas, that it is not in the best financial interest of said city to call a special election on said issue, considering the costs attendant to such an election;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, that no election be called with regard to the enactment of Charter Ordinance No. 7 and that said charter ordinance be rescinded by the effect of the expiration of the statutorily prescribed period for conducting an election on a challenged charter ordinance.

Adopted on this 13th day of August, 1979.


CLIFFORD H. ASLING
Mayor

ATTEST:


MAX F. FOWLER
City Clerk