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CHARTER ORDINANCE NO. 19

A CHARTER ORDINANCE EXEMPTING THE CITY OF ABILENE, KANSAS FROM THE PROVISIONS OF K.S.A. 41-712 AND K.S.A. 41-2704 REGULATING TIME OF SALE OF LIQUOR AND CEREAL MALT BEVERAGES AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

Section 1. The City of Abilene, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 41-712, part of an enactment known as the Liquor Control Act, which enactment applies to this city but does not apply uniformly to all cities.

Section 2. The following is hereby substituted for the provisions of K.S.A. 41-712, as amended:

No person shall sell at retail any alcoholic liquor: (1) before 9:00 a.m. or after 11:00 p.m. Monday through Saturday; or (2) before 12:00 noon or after 8:00 p.m. on Sunday; or (3) on Thanksgiving Day, Christmas Day, or Easter Day.

Section 3. The following is hereby substituted for the provisions of K.S.A. 41-2704, as amended:

No person shall sell at retail any cereal malt beverage: (1) between the hours of 12 midnight and 6 a.m. Monday through Saturday; or (2) in the original package before 12:00 noon or after 8:00 p.m. on Sunday; or (3) on Easter Sunday.

Section 4. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 5. This Charter Ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective upon approval by a majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this 22nd day of June, 2009.



*Nesha Bailey-Mason*  
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Nesha Bailey-Mason  
Mayor

Attest:

*Penny Soukup*  
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Penny Soukup  
City Clerk, CMC