

Proposed by Revenue Collections

BILL NO. 4056

Introduced by Councilman Reed

ORDINANCE NO. 4240

**AN ORDINANCE AMENDING SUBSECTIONS 600.060.G AND 600.060.H OF THE CODE OF ORDINANCES, CITY OF BLUE SPRINGS, MISSOURI, TO CLARIFY THE LICENSES AND SALES SET FORTH THEREIN**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLUE SPRINGS, MISSOURI, AS FOLLOWS:

Section 1: That Subsections 600.060.G and 600.060.H, of the Code of Ordinances, City of Blue Springs, Missouri, are hereby amended so that said Subsections shall read as follows:

*“G. Retailers Selling Intoxicating Liquor--Consumption On Premises.*

1. A license for the privilege of selling at retail intoxicating liquors with an alcoholic content of more than five percent (5%) by weight for consumption on the premises where sold.

2. A license under the terms of this Section shall be issued to all qualified applicants who have fully complied with the provisions of this Chapter, upon payment of an annual fee of four hundred fifty dollars (\$450.00) to the Revenue Collections Department.

3. There shall be a limit of one (1) to five thousand (5,000) population or portion thereof; provided however, that, notwithstanding the aforementioned restrictions, the City Council may, in its discretion, grant a license under this Subsection to any applicant who operates a restaurant-bar. Provided further, that notwithstanding the aforementioned restrictions, the City Council may, in its discretion, grant a license under this Subsection to any applicant who qualifies as a private club. Neither a restaurant-bar license nor a private club license, if granted, shall be counted in calculating the total number of licenses available under this Section.

Each applicant for a restaurant-bar license under the terms of this Section shall furnish the Revenue Collections Department an affidavit showing either that at least fifty percent (50%) of the gross income of the restaurant bar was derived from the sale of prepared meals or food consumed on the premises, or that the annual gross income of the restaurant bar was at least two hundred thousand dollars (\$200,000.00) from the sale of prepared meals or food consumed on the premises.

Applicants for restaurant-bar licenses must furnish with the application for license and renewal of license a certified public accountant's certificate showing at least fifty percent (50%) of the gross income for the past one (1) year immediately preceding, which was derived from the sale of prepared meals or food consumed on the premises. Applicants who have not been in business for at least one (1) year must submit plans and specifications of the proposed restaurant-bar area and anticipated sales estimates showing at least fifty percent (50%) of the gross income for the first (1st) year derived from the sale of prepared meals or food consumed on the premises and, in addition, after said applicant has been in business for ninety (90) days, must submit a certified public accountant's certificate showing at least fifty percent (50%) of the gross income during the ninety (90) day period was derived from the sale of prepared meals or food consumed on the premises.

The issuance of a restaurant-bar license includes the right of sale in the original package, provided such original package shall not be opened, and the contents thereof consumed on the premises where sold and shall include the right to sell intoxicating liquor with an alcoholic content of five percent (5%) or more by weight, by the drink or in the original package.

#### H. *Sunday Sales*

1. A license to sell on Sunday intoxicating liquor in excess of five percent (5%) by weight for consumption on the premises where sold or to sell intoxicating liquor in the original package at retail not to be opened or consumed on the premises where sold.

2. A license under the terms of this Section shall be issued to all qualified applicants, already licensed under either Subsection 600.060.F or 600.060.G, who fully comply with the provisions of this Chapter, upon payment of an annual license fee of three hundred dollars (\$300.00) to the Revenue Collections Department.

3. A license under the terms of this Section shall authorize the selling of intoxicating liquor on Sunday between the hours of 9:00 A.M. and 12:00 Midnight.”

Section 2: That in all other respects, Section 600.060 of the Code of Ordinances, City of Blue Springs, Missouri, shall remain as presently enacted.

Section 3: That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Blue Springs, Missouri, and approved by the Mayor of Blue Springs, this 18<sup>th</sup> day of May, 2009.

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Carson Ross, Mayor

ATTEST:

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Sheryl Morgan, Assistant City Clerk

1<sup>st</sup> reading: May 18, 2009  
2<sup>nd</sup> reading: May 18, 2009