

ORDINANCE NO. 394

AN ORDINANCE OF THE CITY OF WATHENA, KANSAS, CREATING AND DEFINING OFFENSES RELATING TO THE PURCHASE OR CONSUMPTION OF CEREAL MALT BEVERAGE BY MINORS AND FURNISHING CEREAL MALT BEVERAGE TO MINORS, PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF, AND REPEALING SECTION 20 OF ORDINANCE NO. 281 AND ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

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

SECTION ONE. DEFINITIONS. As used in this Ordinance:

- (a) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any such liquor which is more than 3.2% alcohol by weight.
- (b) "Person" means any individual, firm, partnership, corporation or association.
- (c) "Place of business" means any place at which cereal malt beverages are sold.
- (d) "Legal age for consumption of cereal malt beverage" means: (1) With respect to persons born before July 1, 1966, 19 years of age; and (2) with respect to persons born on or after July 1, 1966, 21 years of age.

SECTION TWO. PURCHASE OR CONSUMPTION OF CEREAL MALT BEVERAGE BY MINOR. (a) No person under the legal age for consumption of cereal malt beverage shall obtain or purchase, or attempt to obtain or purchase, cereal malt beverage from any person except as authorized by law.

(b) No person under the legal age for consumption of cereal malt beverage shall possess or consume cereal malt beverage except as authorized by law.

SECTION THREE. FURNISHING CEREAL MALT BEVERAGE TO A MINOR. It shall be unlawful to buy for or sell, give or furnish, whether directly or indirectly, any cereal malt beverage to any person under the legal age for consumption of cereal malt beverage.

SECTION FOUR. PENALTY. Any person adjudged guilty of any offense defined by this Ordinance shall, upon conviction thereof, be punished by a fine of not to exceed \$250.00 or by

imprisonment in the County Jail for a term not to exceed thirty days or by both such fine and imprisonment.

SECTION FIVE. REPEALER. Section 20 of Ordinance No. 281 of the City of Wathena and all other ordinances in conflict herewith are hereby repealed.


SECTION SIX. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City Newspaper.

PASSED by the Council and APPROVED by the Mayor on the 3rd day of June, 1986

  
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Mayor

ATTEST:

(CITY SEAL)

  
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City Clerk