

CHARTER ORDINANCE NO. EIGHTY-TWO

(Note: All or parts of this charter ordinance have been repealed. See notes at the end of the ordinance.)

A CHARTER ORDINANCE EXEMPTING THE CITY OF OVERLAND PARK, KANSAS, FROM THE PROVISIONS OF K.S.A. 41-712 PROHIBITING ALCOHOLIC LIQUOR SALE ON SUNDAY AND CERTAIN HOLIDAYS, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT ALLOWING ALCOHOLIC LIQUOR SALES ON SUNDAY AND CERTAIN HOLIDAYS.

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

SECTION 1. That the Governing Body of the City of Overland Park, Kansas, by the power vested in it by Article 12, Section 5, of the Constitution of the State of Kansas hereby elects and exempts itself from and makes inapplicable to it, the provisions of K.S.A. 41-712, which applies to this city but is part of an enactment commonly known as the Kansas Liquor Control Act, as enacted in Chapter 242 of the Session Laws of 1949, which enactment applies to this city but does not apply uniformly to all cities relating to the sale of alcoholic liquor on Sunday and certain holidays and hereby provides substitute and additional provisions as hereinafter set forth.

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

Sale at retail; forbidden on certain days; hours of sale, exception. No person shall sell at retail any alcoholic liquor: (1) on Thanksgiving Day or Christmas Day; or (2) before 9:00 a.m. or after 11:00 p.m. Monday through Saturday; or (3) before 11:00 a.m. or after 8:00 p.m. on Sunday.

SECTION 3. This ordinance shall be published once each week for two (2) consecutive weeks in *The Overland Park Sun*, an official City newspaper.

SECTION 4. THIS IS A CHARTER ORDINANCE AND SHALL TAKE EFFECT 61 DAYS AFTER FINAL PUBLICATION UNLESS WITHIN 60 DAYS OF ITS FINAL PUBLICATION A PETITION SIGNED BY A NUMBER OF ELECTORS OF THE CITY OF OVERLAND PARK EQUAL TO NOT LESS THAN TEN PERCENT OF THE NUMBER OF ELECTORS WHO VOTED AT THE LAST PRECEDING REGULAR CITY ELECTION SHALL BE FILED IN THE OFFICE OF THE CITY CLERK OF OVERLAND PARK DEMANDING AN ELECTION ON THE CHARTER ORDINANCE IN WHICH CASE THE CHARTER ORDINANCE SHALL BECOME EFFECTIVE ONLY IF AND WHEN APPROVED BY A MAJORITY OF THE ELECTORS VOTING THEREON.

Charter Ordinance No. Eighty-Two

PASSED BY THE GOVERNING BODY NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT VOTING IN FAVOR THEREOF THE 19th DAY OF MAY, 2003.

Ed Eilert, Mayor

ATTEST:

Marian Cook
City Clerk

APPROVED AS TO FORM:

Robert J. Watson
City Attorney

Passed:	5/19/03
Published:	5/22/03
	5/29/03
Effective:	7/29/03

Entire ordinance was repealed by Chapter 201 of the 2005 Session Laws of Kansas, effective November 15, 2005.