

(First Published in the Times-Sentinel  
On the 12<sup>th</sup> day of January, 2023)

THE CITY OF HAYSVILLE, KANSAS

ORDINANCE NO. 1100

**AN ORDINANCE AMENDING CHAPTER III, ARTICLE 1, SECTION 3-117 AND  
CHAPTER III, ARTICLE 3, SECTION 3-308 REGARDING THE HOURS OF RETAIL  
SALES OF CEREAL MALT BEVERAGES AND LIQUOR ON SUNDAYS**

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

**Section 1.** That Chapter III, Article 1, Section 3-117 of the Code of the City of  
Haysville is amended to provide as follows:

**3-117. Business regulations.**

It shall be the duty of every licensee to observe the following regulations.

(a) The place of business licensed, and operating shall at all times have a front and rear  
exit unlocked when open for business.

(b) The premises and all equipment used in connection with such business shall be kept  
clean and in a sanitary condition and shall at all times be open to the inspection of the police and  
health officers of the city, county and state.

(c) Except as provided by subsection (d), no cereal malt beverages may be sold or  
dispensed;

(1) Between the hours of 12:00 midnight and 6:00 a.m.;

(2) *in the original package before 9:00 a.m. or after 8:00 p.m. on Sunday;*

(3) on Easter Sunday; or

(4) for consumption on the licensed premises on Sunday, except in a place of business  
which is licensed to sell cereal malt beverage for consumption on the premises, which derives not  
less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.

(d) Cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to  
be served on premises which are licensed pursuant to K.S.A. 41-2601, et seq. and amendments  
thereto, and licensed as a club by the State Director of Alcoholic Beverage Control.

(e) The place of business shall be open to the public and to the police at all times during  
business hours, except that premises licensed as a club under a license issued by the State Director  
of Alcoholic Beverage Control shall be open to the police and not to the public.

(f) It shall be unlawful for any licensee or agent or employee of the licensee to become  
intoxicated in the place of business for which such license has been issued.

(g) No licensee or agent or employee of the licensee shall permit any intoxicated person  
to remain in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall sell or permit the sale of cereal  
malt beverage to any person under 21 years of age.

(i) No licensee or agent or employee of the licensee shall permit any gambling in the  
place of business for which such license has been issued.

(j) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(k) No licensee or agent or employee of the licensee shall employ any person under 18 years of age in dispensing cereal malt beverages. No licensee shall employ any person who has been judged guilty of a felony.

**Section 2.** That Chapter III, Article 3, Section 3-308 of the Code of the City of Haysville is amended to provide as follows:

**3-308. Hours of sale.**

No person shall sell at retail any alcoholic liquor on:

- (a) Easter Day, Thanksgiving Day or Christmas Day; or
- (b) before 9:00 a.m. or after 11:00 p.m. Monday through Saturday; or
- (c) before 9:00 a.m. or after 8:00 p.m. on Sunday.

**Section 3.** This Ordinance shall be included in the Code of the City of Haysville and shall take effect 60 days following its second publication in the official city newspaper as required by KSA 41-2911.

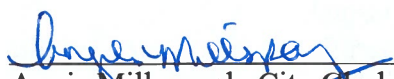
**Section 4.** Should any section, clause, sentence or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any remaining provision herein.

Passed and Approved by the Governing Body of the City of Haysville, Kansas this 9<sup>th</sup> day of January 2023.


Approved by the Mayor this 9<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
Russ Kessler, Mayor

ATTEST:

  
\_\_\_\_\_  
Angie Millspaugh, City Clerk

Approved as to form:

A handwritten signature in blue ink, appearing to be 'JP', written over a horizontal line.

Joshua Pollak, City Attorney