



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 2/19/2019

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**DEPARTMENT:** Legal

**STAFF CONTACT:** Ron Shaver; Daniel Yoza

**SUBJECT:** Report on Ordinance No. 19-XX concerning amendments to Olathe Liquor Ordinances, O.M.C. Title 7.

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**ITEM DESCRIPTION:**

Staff has prepared draft Ordinance 19-XX ([Attachment A](#)) which makes two changes to Title 7 of the Olathe Municipal Code (Liquor Laws). The first change is in response to 2017 Kansas SB 13 ([Attachment B](#)). After April 1, 2019, cereal malt beverage (CMB) retailers will be able to sell beer up to 6% alcohol by volume under the new Kansas Law. The change to the definition of "Cereal Malt Beverage" in Section One aligns the City CMB license with the State CMB license. The second change is to allow the City to issue a Sidewalk Premises permit. The Sidewalk Premises permit allows an existing holder of a City drinking establishment license to extend its premises onto an enclosed area of public right-of-way or sidewalk if the City issues a Sidewalk Premises permit. The City has the discretion to issue the Sidewalk Premises permit to a licensed drinking establishment. This process is similar to the way that the cities of Overland Park, Manhattan, and Lawrence issue these permits.

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**SUMMARY:**

Ordinance 19-XX aligns City CMB Ordinances with State Statute and allows the City to issue sidewalk premises permits.

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**FINANCIAL IMPACT:**

None

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**ACTION NEEDED:**

Accept the report. Unless directed otherwise, staff will prepare the Ordinance for formal consideration on March 5, 2019.

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**ATTACHMENT(S):**

Attachment A: Ordinance 19-XX - Liquor Ordinance

Attachment B: 2017 SB 13