

CITY OF WINDY HILLS

Ordinance No. 94-04

AN ORDINANCE RELATING TO THE HOURS AND TIMES
IN WHICH DISTILLED SPIRITS, WINE AND BEER MAY
BE SOLD.

BE IT ORDAINED BY THE CITY OF WINDY HILLS:

Section 1.

(1) Hours of Sale - Distilled Spirits and Wine.

It shall be unlawful for any person, firm or corporation licensed for the sale of distilled spirits or wine at retail, to sell, give away, permit to be sold or given away or permit on the licensed premises the consumption of such products between the hours of two o'clock a.m. and six o'clock a.m. on any week day and Saturday or between the hours two o'clock a.m. Sunday and six o'clock a.m. Monday, or on election day when polls are open in the City of Windy Hills.

(2) Hours of Sale - Malt Beverages. It shall be unlawful for any person, firm or corporation licensed for the sale of malt beverages at retail, to sell, give away, permit to be sold or given away, or permit on the licensed premises the consumption of such products between the hours of two o'clock a.m. and six o'clock a.m. on any week day and Saturday or between the hours of two o'clock a.m. Sunday and one o'clock p.m. Sunday or on any election day when the polls are open in the City of Windy Hills.

(3) The unlawful hours of sale of distilled spirits and wine and the unlawful hours of sale of beer indicated in paragraphs (1) and (2) above, shall be the hours of four o'clock a.m. and six o'clock a.m. for the Monday before the first Saturday in May of each year, through four o'clock a.m. of the following Sunday.

(4) The unlawful hours of sale of distilled spirits and wine and the unlawful hours of sale of beer indicated in paragraphs (1) and (2) above, shall be between the hours of four o'clock a.m. and six o'clock a.m. for January 1 of each year; except when December 31 and January 1 fall on Sunday and Monday respectively, in which case the rules from paragraph (1) and (2) of this section apply.

(5) The sale of distilled spirits or wine at retail may be permitted, on premises licensed for such purposes, between the hours of two o'clock a.m. and four o'clock a.m. on each day of the week, except for the hours of four o'clock a.m. Sunday through six o'clock a.m. Monday, upon issuance of a special hours license as set forth in Section 2.

(6) The sale of malt beverages at retail may be permitted on premises licensed for such purposes between the hours of

two o'clock a.m. and four o'clock a.m. on each day of the week, except for the hours of four o'clock a.m. Sunday through one o'clock p.m. Sunday, upon issuance of a special hours license as set forth in Section 2.

Section 2.

(1) The Windy Hills City Clerk may issue a special hours license to any person, firm or corporation holding a license to sell distilled spirits and wine at retail upon payment in advance to the City of Windy Hills of an annual license fee of Two Hundred Fifty Dollars (\$250.00).

(2) The Windy Hills City Clerk may issue a special hours license to any person, firm or corporation holding a license to sell malt beverages at retail upon the payment in advance to the City of Windy Hills of the sum of Fifty Dollars (\$50.00).

Section 3.

Any person violating any provision of this ordinance shall, for the first offense, be fined not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00), or be imprisoned not more than six months, or both; and for the second and each subsequent violation, shall be fined not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00) or be imprisoned not more than six months, or both.


Section 4.

All ordinances, or part thereof, in conflict with the provisions hereof are hereby repealed, provided however this ordinance shall not reduce the privileges granted by any other ordinance, license, or supplemental license.


Section 5.

This ordinance shall take effect on June 30, 1994, upon its adoption.

Introduction and first reading, June 13, 1994. Passed and approved June 20, 1994.


Betty Walsh, Mayor

ATTEST:


Faye Ellerkamp, City Clerk