

ORDINANCE NO. 23-11

AN ORDINANCE EXEMPTING A CORE COMMERCIAL DISTRICT FROM LOCATION RESTRICTIONS APPLICABLE TO ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE LICENSES OR PERMITS; AMENDING SECTION 7.02.020 OF THE OLATHE MUNICIPAL CODE AND REPEALING THE EXISTING SECTION.

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

SECTION ONE: Section 7.02.020 of the Olathe Municipal Code is hereby amended to read as follows:

“7.02.020 Restriction on Location.

(A) No alcoholic liquor or cereal malt beverage shall be sold or served by a person holding a license or permit from the City whose place of business or other premises are located within two hundred (200) feet of any church or school, said distance to be measured from the nearest property line of such church or school to the nearest portion of the building occupied by the premises; provided, however, that if such school or church is established within two hundred (200) feet of any licensed premises after the premises has been licensed, or such church or school provides written consent approved by its governing authority, the premises shall continue to be an eligible location for an alcoholic liquor license.

(B) The restrictions of subsection (A) and of K.S.A. 41-710(c)(1) do not apply to a place of business or other premises located within the downtown core commercial district as depicted in **Exhibit A**, attached hereto and incorporated herein by reference, and generally designated as follows: the area bounded by Poplar Street on the north, Woodland and Water Streets on the east, Cedar Street on the south, and Walnut Street on the west.

(C) No license or permit shall be issued for the sale of alcoholic liquor or cereal malt beverage if the building or use does not meet the zoning ordinance requirements of the City or conflicts with the other City laws, including building, fire and health codes.”

SECTION TWO: Existing Section 7.02.020 is hereby repealed.

SECTION FIVE: This Ordinance shall take effect and be in force from and after its passage and publication as provided by law.

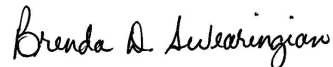
PASSED by the Governing Body this 6th day of June, 2023.

SIGNED by the Mayor this 7th day of June, 2023.


John W Bacon (Jun 7, 2023 10:17 CDT)

Mayor


ATTEST:



City Clerk



APPROVED AS TO FORM:

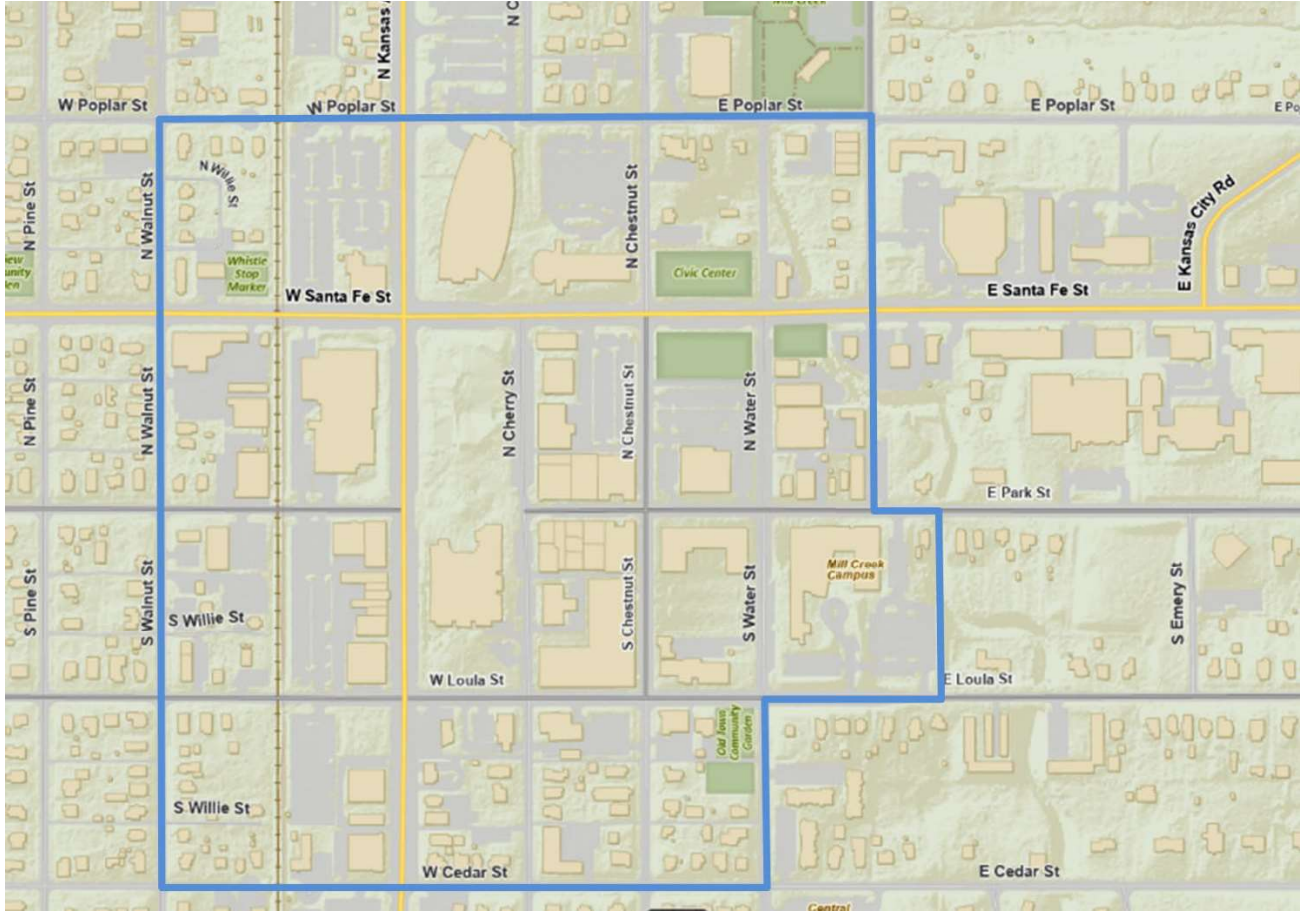

Ron Shaver (Jun 7, 2023 10:30 CDT)

City Attorney

Publish and return the Proof of Publication to the City Clerk and City Attorney.

Exhibit A

Downtown Core Commercial District, City of Olathe



The Legal Record

1701 E. Cedar St., Ste. 111
Olathe, KS 66062-1775
(913) 780-5790

ATTN: CITY CLERK
CITY OF OLATHE
100 E SANTA FE ST
OLATHE KS 66061-3409

First published in The Legal Record, Tuesday, June 13, 2023.

PUBLICATION SUMMARY OF ORDINANCE NO. 23-11, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 6th DAY OF JUNE 2023.

SUMMARY

On June 6, 2023, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 23-11 amending Section 7.02.020 of the Olathe Municipal Code to exempt a core commercial district from location restrictions applicable to alcoholic liquor or cereal malt beverage licenses or permits.

The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address <http://www.olatheks.org/government/city-clerk/public-notices>, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.

This summary is certified this 7th day of June 2023.

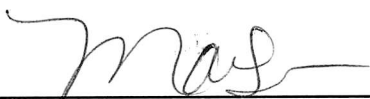
/s/ Robert G. Gallimore
Robert G. Gallimore
Assistant City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.
6/13

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

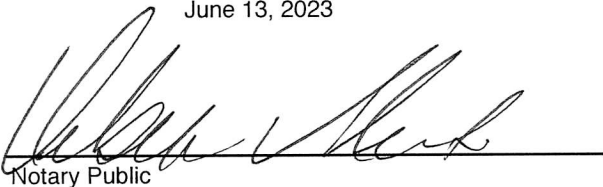
ORDINANCE NO. 23-11
6/13/23



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

June 13, 2023


Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires Aug. 21, 2023

L13191
Publication Fees: \$20.92