

ORDINANCE NO. 25-3460

AN ORDINANCE AMENDING SECTION 3-201 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, CONCERNING DEFINITIONS APPLICABLE TO REGULATING ALCOHOLIC LIQUOR IN THE CITY OF ABILENE, KANSAS.

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

SECTION ONE. Section 3-201 of the City Code of the City of Abilene, Kansas, be amended to read as follows:

3-201 Definitions.

For the purposes of this chapter, the following words and phrases shall mean:

- (a) *Alcoholic Liquor* means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being, but shall not include any cereal malt beverage.
- (b) *Alcoholic Liquor Distributor* means a distributing place of business operated in the city by the same licensee and wholesaling and jobbing alcoholic liquors, except beer.
- (c) *Beer Distributor* means a wholesale distributing place of business operated in the city by the same licensee and wholesaling or jobbing beer, containing more than three and two-tenths per cent (3.2%) of alcohol by weight.
- (d) *Caterer* means an individual, partnership or corporation which sells alcoholic liquor by the individual drink, and provides services related to the serving thereof, on unlicensed premises which may be open to the public, but does not include a holder of a temporary permit selling alcoholic liquor in accordance with the terms of such permit.
- (e) *Class "A" Club* means a premises which is owned or leased by a corporation, partnership, business trust or association and which is operated thereby as a bona fide nonprofit social, fraternal or war veterans club, as determined by the State of Kansas, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates (hereinafter referred to as members), and their families and guests accompanying them.
- (f) *Class "B" Club* means a premises operated for profit by a corporation, partnership or individual, to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment.
- (g) *Club* means a Class "A" or Class "B" club.
- (h) *Drinking Establishment* means premises which may be open to the general public, where alcoholic liquor by the individual drink is sold. The term "Drinking Establishment" includes a railway car.
- (i) *Railway Car* means a locomotive drawn conveyance used for the transportation and accommodation of human passengers that is confined to a fixed rail route and which derives from sales of food for consumption on the railway car not less than

30% of its gross receipts from all sales of food and beverages in a 12-month period.

- (j) *Retailers of Alcoholic Liquor* means a place of business selling, for consumption off the premises (in original packages) alcoholic liquors and beer containing more than three and two-tenths per cent (3.2%) of alcohol by weight.
- (k) *Temporary Permit* means a permit, issued in accordance with the laws of the State of Kansas, which allows the permit holder to offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises, open to the public.

SECTION TWO. Existing Section 3-201 is hereby repealed.

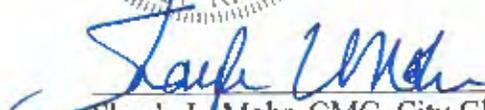
SECTION THREE. This ordinance shall become effective and in full force from and after its passage, adoption and publication in the official City newspaper by the following summary:

Ordinance No. 25-3460 Summary

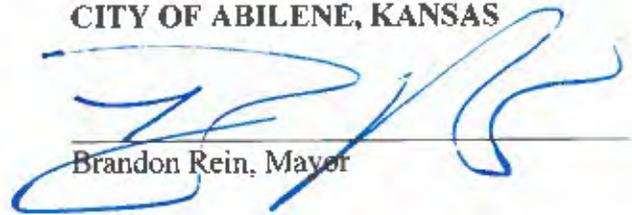
On June 9, 2025, the City Commission passed Ordinance No. 25-3460. The ordinance amends Section 3-201 of the City Code of the City of Abilene, Kansas, concerning definitions applicable to the regulation of alcoholic liquor in the City of Abilene, Kansas, by specifying that the term “drinking establishment” includes a railway car. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City’s legal counsel

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas this 9th day of June, 2025.

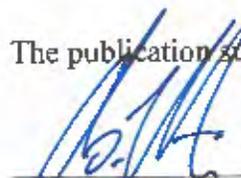



Shayla L. Mohr, CMC, City Clerk

CITY OF ABILENE, KANSAS


Brandon Rein, Mayor

The publication summary set forth above is certified this 9th day of June, 2025.


Aaron O. Martin, Legal Counsel