

AN ORDINANCE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, BY AMENDING CERTAIN SECTIONS AND ADDING NEW SECTIONS TO CHAPTER 600, ALCOHOLIC BEVERAGES, REGARDING LIQUOR CONTROL.

WHEREAS, as a result of changes in the law, the City Council has determined it to be in the best interests of the citizens of the City of Richmond Heights to make amendments and to add certain provisions of Chapter 600 of the Municipal Code of the City of Richmond Heights regarding liquor control.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, AS FOLLOWS:

SECTION 1. Section 600.030 of the Code of Ordinances is hereby amended to add a new definition of Malt Beverages as follows:

Malt Beverages: Any intoxicating liquor of fermented malt known as beer, ale or malt liquor.

SECTION 2. Section 600.130 of the Code of Ordinances is hereby amended by adding two new license classes and fees as follows:

SECTION 600.130: LICENSE CLASSES AND FEES

3b. Authorizing the sale of malt beverages and light wines at retail in the original package not to be consumed on the premises where sold (Class 3b license): One hundred fifty dollars (\$150.00).

3c. Authorizing the Sunday sale of malt beverages and light wines at retail in the original package not to be consumed on the premises where sold (Class 3c license): Three hundred dollars (\$300.00).

SECTION 3. Section 600.140 of the Code of Ordinances is hereby amended by adding two new license class limits as follows:

SECTION 600.140: NUMBER OF LICENSES LIMITED

Class 3b	Six (6)
Class 3c	Six (6)

SECTION 4. In accordance with Missouri HB 1498 (2012) and SB 262 (2005), Section 600.160 of the Code of Ordinances is hereby added to read as follows:

SECTION 600.160: RESTAURANT AND BARS CARRY-OUT

A. The owner, operator or employees of a restaurant-bar may allow patrons to carry out one or more bottles of unfinished wine, and it shall be lawful for patrons of such restaurant-bar to carry out one or more bottles of unfinished wine, under the following conditions:

- (1) The patron must have ordered a meal;
- (2) The bottle or bottles of wine must have been at least partially consumed during the meal; and
- (3) The restaurant-bar must provide a dated receipt for the unfinished bottle or bottles of wine; and
- (4) The restaurant-bar must securely reseal the bottle or bottles of wine and place them in one or more one-time-use, tamperproof, transparent bags and securely seal the bags.

B. Notwithstanding any other provision of law, no person who transports one or more bottles of unfinished wine which came from a restaurant-bar under the circumstances described in subsection A. of this section, in a vehicle, shall be considered to have violated any state law or local ordinance regarding open containers in vehicles so long as such person has in his or her possession the dated receipt from the restaurant-bar and the bottle or bottles of wine remain in the restaurant-bar furnished, one-time-use, tamperproof, transparent bags with the seals intact.

SECTION 5. In accordance with Missouri HB 1498 (2012) and SB 262 (2005), Section 600.165 of the Code of Ordinances is hereby added to read as follows:

SECTION 600.165: TABLE TAP DISPENSING SYSTEMS

Any person licensed to sell liquor at retail by the drink to be consumed on the premises, Class 1 license, may use a table tap dispensing system to allow patrons of the licensee to dispense beer at a table. Before a patron may dispense beer, an employee of the licensee must first authorize an amount of beer, not to exceed thirty-two ounces per patron per authorization, to be dispensed by the table tap dispensing system.

SECTION 6. Section 600.170 of the Code of Ordinances is hereby amended to read as follows:

SECTION 600.170: PROHIBITED LOCATIONS

A. Remains the same.

B. No license for the sale of any kind of intoxicating liquor shall be issued to any applicant who

proposes to sell such intoxicating liquor at any establishment which dispenses gasoline, except for the sale of malt beverages or light wine in its original package for consumption not on the premises.

C. Remains the same.

SECTION 7. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 8. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 9. This ordinance shall be in full force and effect on the 31st day after its passage as provided by law.

PASSED and SIGNED this 17th day of June, 2013.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: June 3, 2013
Second reading: June 17, 2013