

**AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATING TO LIQUOR LICENSE REGULATIONS**

WHEREAS, the Board has deemed it necessary to amend certain liquor license regulations for purposes of being consistent with changes in Missouri State Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF EUREKA, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

**SECTION 1:**

The definition of "RESTAURANT-BAR" set forth in Section 3-29 of the Municipal Code is hereby repealed in its entirety.

**SECTION 2:**

Sections 3-30(a) and 3-30(b) of the Municipal Code are hereby repealed in their entirety, and new Sections 3-30(a) and 3-30(b) are hereby enacted in lieu thereof which shall read as follows:

(a) No person having a license under this law, nor any employee of such person, except as provided in subsection (b) of this section, shall sell, give away or otherwise dispose of, or suffer the same to be done upon or about his premises, any intoxicating liquor in any quantity between the hours of 1:30 a.m. and 6:00 a.m. Tuesday through Saturday, 1:30 a.m. and 9:00 a.m. Sunday and 12:00 midnight Sunday to 6:00 a.m. Monday. If the person has a license to sell intoxicating liquor by the drink, his premises shall be and remain a closed place as defined in this section between the hours of 1:30 a.m. and 6:00 a.m. Tuesday through Saturday, 1:30 a.m. and 9:00 a.m. Sunday and 12:00 midnight Sunday to 6:00 a.m. Monday. Where such licenses authorizing the sale of intoxicating liquor by the drink are held by clubs or hotels, this section shall apply only to the room or rooms in which intoxicating liquor is dispensed; and where such licenses are held by restaurants whose business is conducted in one room only and substantial quantities of food and merchandise other than intoxicating liquors are dispensed, then the licensee shall keep securely locked during the hours and on the days specified in this section all refrigerators, cabinets, cases, boxes, and taps from which intoxicating liquor is dispensed. A "closed place" is defined to mean a place where all doors are locked and where no patrons are in the place or about the premises. Any person violating any provision of this section shall be deemed guilty of a class A misdemeanor. Nothing in this section shall be construed to prohibit the sale or delivery of any intoxicating liquor during any of the hours or on any of the days specified in this section by a wholesaler licensed under the provisions of section 311.180 of the Revised Statutes of the State of Missouri, which section is incorporated herein by reference, to a person licensed to sell the intoxicating liquor at retail.

(b) Any person licensed pursuant to Section 311.200 shall not be permitted to sell, give away, or otherwise dispose of, or suffer the same to be done upon or about his premises, any intoxicating liquor in any quantity between the hours of 1:30 a.m. and 6:00 a.m. Tuesday through Saturday, 1:30 a.m. and 9:00 a.m. Sunday and 12:00 midnight Sunday to 6:00 a.m. Monday.

**SECTION 3:**

The provisions contained herein shall remain in full force and effect in the event the City or the third party Municipal Code codification company the City engages makes non-substantive changes to the language herein contained or section numbers herein referenced.

**SECTION 4:**

All ordinances, parts of ordinances or provisions of the Municipal Code of the City of Eureka in conflict with any provisions of this ordinance are hereby repealed.

**SECTION 5:**

This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 7TH DAY OF APRIL, 2015.

(Original with signature on file)

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Kevin M. Coffey, Mayor

ATTEST:

(Original with signature on file)

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Ralph M. Lindsey, Jr., City Clerk