

(Published in The Morning Sun on May 13th, 2016)

ORDINANCE NO. G-1251

AN ORDINANCE, amending Section 6-1 of the Pittsburg City Code regarding penalties for purchase, possession or consumption of alcoholic liquor or cereal malt beverages by persons under 21 years of age.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PITTSBURG,

KANSAS:

Section One. Section 6-1 of the Pittsburg City Code is hereby amended to read:

- (a) No person under the age of 21 years shall represent that he is 21 years of age or older for the purpose of asking for, purchasing or receiving alcoholic liquor or cereal malt beverages from any association, partnership, corporation, or natural person, except in cases authorized by law.
- (b) No person under 21 years of age shall possess or consume alcoholic liquor or cereal malt beverages or attempt to purchase or purchase alcoholic liquor or cereal malt beverages.
- (c) No person shall knowingly sell, give away, procure, deliver, or permit the sale, gift, procuring or delivery of any alcoholic liquor or cereal malt beverages to or for any person who is disabled or is physically or mentally incapacitated due to consumption of cereal malt beverage or alcoholic liquor.
- (d) No person shall, either directly or indirectly, sell, give away, procure, deliver, or permit the sale, gift, procuring or delivery of any cereal malt beverage or alcoholic liquor to or for any person who is under 21 years of age.
- (e) Violations of subsections (c) or (d) of this Section by any association, partnership, corporation or natural person, including the agents, officers, and employees thereof, is a misdemeanor punishable by a fine of not less than \$100 and not more than \$250 or imprisonment not exceeding 30 days, or both, for each separate violation. In addition, the judge of the municipal court may suspend the cereal malt beverage license and/or retailer's license of any license holder found guilty of violating any of such provisions for a period of time not to exceed 60 days. Notwithstanding anything to the contrary in this Section, it shall not be a violation by the individual's parent or legal guardian if the possession or consumption of the alcoholic liquor or cereal malt beverage by a person under 21 years of age is permitted, supervised, and furnished by such parent or legal guardian.
- (f) Violations of subsections (a) and (b) of this Section by a person 18 or more years of age but less than 21 years of age is a misdemeanor punishable by a minimum fine of \$200. In addition to a fine, the court may order the offender to do either or both of the following:
 - (1) Perform 40 hours of public service; or
 - (2) Attend and satisfactorily complete a suitable educational or training program dealing with the effects of alcohol or other chemical substances when ingested by humans.

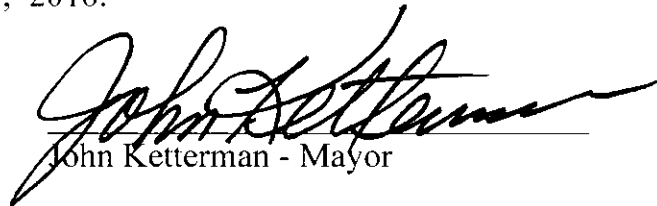
(g) Upon a first conviction of a violation of this Section by a person 18 or more years of age but less than 21 years of age, the court shall order the division of vehicles to suspend the driving privilege of such offender for 30 days.

(h) Upon a second conviction of a violation of this Section by a person 18 or more years of age but less than 21 years of age, the court shall order the division of vehicles to suspend the driving privilege of such offender for 60 days.

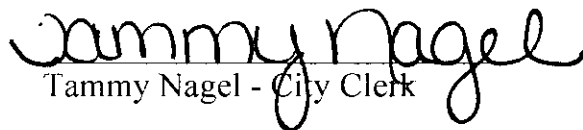
(i) Upon a third or subsequent conviction of a violation of this Section by a person 18 or more years of age but less than 21 years of age, the court shall order the division of vehicles to suspend the driving privilege of such offender for one year.

Section Two. This Ordinance shall take effect and be in force from and after its approval and publication in the official city newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY of the City of
Pittsburg, Kansas this 10th day of May, 2016.


John Ketterman - Mayor

ATTEST:


Tammy Nagel - City Clerk

