

**AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 600
LIQUOR CONTROL, BEING PART OF TITLE VI BUSINESS AND
OCCUPATION OF THE OLIVETTE MUNICIPAL CODE, REGARDING HOURS
FOR THE SALE OF INTOXICATING LIQUOR ON SUNDAYS AND FURTHER
REGARDING THE SALE OF RETAILER-PACKAGED ALCOHOLIC
BEVERAGES**

WHEREAS, in July 7, 2021, Missouri Governor signed Senate Bill 126 amending seventeen (17) sections relating to the sale of intoxicating liquor; and

WHEREAS, the Revised Statutes of Missouri, Chapter 311 Liquor Control Law, and the provisions of this chapter establish vital state regulation of the sale and distribution of alcohol beverages in order to promote responsible consumption, combat illegal underage drinking, and achieve other important government policy goals such as maintaining an orderly marketplace composed of licensed, lawfully-operating alcohol producers, importers, distributors, and retailers; and

WHEREAS, the City of Olivette has adopted liquor control regulations, as authorized by the State of Missouri, under Chapter 600 Liquor Control, being part of Title VI Business and Occupation of the Olivette Municipal Code, including restrictions on the hours of sale and the sale of alcoholic beverages at retail; and

WHEREAS, under the amendments of Senate Bill 126 the hours for Sunday sales for both package liquor licensee and those for special events were extended; and

WHEREAS, Senate Bill 126 further authorized retailer-packaged alcoholic beverages under certain circumstances; and

WHEREAS, the City Council, after careful and due deliberation, has determined that the proposed text amendments under Chapter 600 Liquor Control, being part of Title VI Business and Occupation of the Olivette Municipal Code, maintain compliance with state statutes, as amended by Senate Bill 126, and are in the interest of the public health, safety, welfare, and morals of the City of Olivette.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLIVETTE, AS FOLLOWS:

Section One. The following definitions of Section 600.010 Definitions, under Chapter 600 Liquor Control, being part of Title VI Business and Occupation of the Olivette Municipal Code, are hereby amended to read as follows: [those definitions not set forth herein are not amended in any way and remain in full force and effect]

HOURS, SPECIAL EVENT

From 6:00 AM to 1:30 AM the following date of each permitted day.

HOURS, SUNDAY

6:00 AM Sunday to 1:30 AM Monday.

Section Two. Section 600.170 of Article III ("General License Regulations") of Chapter 600 ("Liquor Control") of the Olivette Municipal Code is hereby amended to read as follows:

Section 600.170. Times of Sale Restricted, Closed Place.

- A. No person having a license under this Chapter nor any employee or agent of such person shall sell, give away, or permit the consumption of any intoxicating liquor to be done upon or about the premises in any quantity except at the times set out in this Chapter. Any places licensed to sell intoxicating liquor by the drink shall be a closed place during times for which the sale of intoxicating liquor is restricted.
- B. Any person having a license to sell intoxicating liquor by the drink may be open for business, and sell intoxicating liquor by the drink under the provisions of said license on the following Sundays

after 6:00 a.m. and until 1:30 a.m. on the following Monday: (i) when January 1, March 17, July 4, or December 31 falls on a Sunday, (ii) on the Sundays prior to Memorial Day and Labor Day, and (iii) on the Sunday on which the championship game of the National Football League is played (commonly referred to as Super Bowl Sunday).

Section Three. Section 600.160 of Article III (“General License Regulations”) of Chapter 600 (“Liquor Control”) of the Olivette Municipal Code is hereby retitled as “Package Regulations” and shall be amended to read as follows:

Section 600.160. Package Regulations

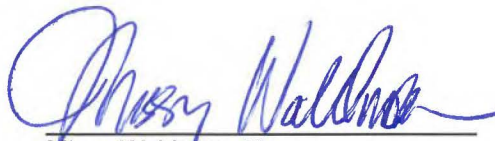
- A. No person licensed under the provisions of this Chapter to sell intoxicating liquor at retail in the original package not to be consumed on the premises where sold shall sell any such intoxicating liquor in any package containing less than an original package as defined in this Article.
- B. No person shall sell or deliver intoxicating liquor by means of a drive-through service.
- C. Any person who is licensed to sell intoxicating liquor at retail by the drink for on-premises consumption may sell retailer-packaged alcoholic beverages to customers in containers filled on such premises by any employee of the retailer who is twenty-one years of age or older for off-premises consumption if all requirements of Section 311.202 RSMo are met.

Section Four.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unlawful or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

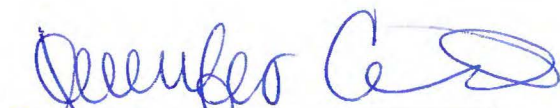
Section Five. This Ordinance shall be effective after its passage and adoption.

PASSED AND ADOPTED THIS 28TH DAY OF JANUARY, 2025.



Missy Waldman, Mayor

ATTEST:



Jennifer Conrad, Deputy City Clerk