

**AN ORDINANCE OF THE CITY OF WARRENTON,
MISSOURI, AMENDING VARIOUS SECTIONS OF
CHAPTER 600 REGULATING ALCOHOLIC BEVERAGES**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
WARRENTON, MISSOURI, AS FOLLOWS:**

SECTION I. That Section 600.010 of the Municipal Code of the City of Warrenton, Missouri, be and hereby is amended by deleting the definition of "Liquor by the Drink" and enacting the new definitions of "Sale by the Drink" and "Good Moral Character," and incorporating statement intended to precede all definitions contained in Section 600.010 to read as follows:

Section 600.010 Definitions.

Any terms or acronyms not defined in this Section 600.010 shall have the same meaning as provided by Chapter 311, RSMo., and the regulations promulgated by the Missouri Department of Public Safety: Alcohol and Tobacco Control.

GOOD MORAL CHARACTER

Honesty, fairness, and respect for the rights of others and for the laws of the State and nation. The following factors shall be considered when making a determination of whether an applicant or licensee under this Chapter has "good moral character":

1. The nature and character of the business for which the license is sought;
2. The manner in which the person has conducted his/her/its business; and
3. The manner in which the person has observed or violated the law.

If a person has been convicted of violating a crime of this State or Country, or of any crime of any other State or Country that would have been a crime under the laws of the State of Missouri, or an offense of this City, the City Clerk shall also weigh the following factors in determining if the person has "good moral character":

1. The type of crime(s) or offense(s) for which a person has been convicted;
2. The circumstances surrounding the crime(s) or offense(s) for which a person has been convicted;
3. The proximity in time of the conviction(s) to the application for a license;
4. The conduct of the person since the date of conviction; and
5. Whether the crime the person is convicted of is reasonably related to the competency of the person to exercise the licensed business.

Notwithstanding the foregoing, a conviction cannot be the sole ground on which a person is determined to lack "good moral character." If a person is pardoned from a conviction, the underlying guilt for the crime or offense may still be evidence of such person's "good moral character."

SECTION II. That Section 600.080 of the Municipal Code of the City of Warrenton, Missouri, be and hereby is amended by deleting Section 605.080 in its entirety and enacting, in lieu thereof, a new Section 600.080 to read as follows:

Section 600.080 Fee Schedule.

The license fee required and imposed under this Chapter shall be as follows:

Type of License	Code	Annual Fee
1. Retail Liquor by the Drink	RBD	\$450.00
2. (Reserved)		
3. Retail Liquor by the Drink — Exempt	RBDE	\$450.00
4. Retail Liquor by the Drink — Caterer	RBDC	\$15.00 per day
5. Retail Liquor by Drink — Picnic (7 days includes Sunday)	RBDP	\$37.50
6. 5% Beer by Drink (includes Sunday sales)	5BD	\$75.00
7. 5% Beer by Drink — Wine	5BDW	\$75.00
8. 5% Beer & Wine — Caterer (per day)	5BWC	\$15.00
9. (Reserved)		
10. Consumption of Intoxicating Liquor	COL	\$90.00
11. Original Package Liquor	OPL	\$150.00
12. Original Package 5% Beer (includes Sunday)	5OP	\$75.00
13. (Reserved)		
14. Sunday Original Package Liquor	SOP	\$300.00
15. Sunday by Drink	SBD	\$300.00
16. Original Package Beer/Wine Tasting	OPT	\$37.50
17. 5% Wholesale Solicitor	5WS	\$150.00
18. (Reserved)		
19. Missouri Wine by the Drink	MWBD	\$450.00

SECTION III. That Section 600.090 of the Municipal Code of the City of Warrenton, Missouri, be hereby amended by deleting Section 600.090 in its entirety, and enacting, in lieu thereof, a new Section 600.090 to read as follows:

Section 600.090 Qualifications of Licensee.

A. No person shall be granted a license to sell intoxicating liquor under this Chapter unless such person is of good moral character and a qualified legal voter and taxpaying citizen of the County, Town, City, or Village where he or she resides; nor shall any corporation be granted such license unless the managing officer of such corporation is of good moral character and a qualified legal voter and taxpayer of the County, Town, City, or Village where he or she resides. No person shall be granted a license or permit whose license as such dealer has been revoked, or who has been convicted since the ratification of the Twenty-First Amendment to the Constitution of the United States of a violation of any of the provisions of any law applicable to the manufacture or sale of intoxicating liquor, or who employs in his/her business as such dealer any person whose license has been revoked or who has been convicted of violating such law since the date aforesaid.

B. Qualifications.

1. No person, partnership or corporation shall be qualified for a license under this law if such person, any member of such partnership, or such corporation, or any officer, director, or any stockholder owning, legally or beneficially, directly or indirectly, ten percent (10%) or more of the stock of such corporation, or other financial interest therein, or ten percent or more of the interest in the business for which the person, partnership or corporation is licensed, or any person employed in the business licensed under this law shall have had a license revoked under this law or shall have been convicted of violating the provisions of any law applicable to the manufacture or sale of intoxicating liquor since the ratification of the Twenty-First Amendment to the Constitution of the United States, or shall not be a person of good moral character.

2. No license issued under this Chapter shall be denied, suspended, revoked or otherwise affected based solely on the fact that an employee of the licensee has been convicted of a felony unrelated to the manufacture or sale of intoxicating liquor so long as any such employee does not directly participate in retail sales of intoxicating liquor.

3. No wholesaler license shall be issued to a corporation for the sale of intoxicating liquor containing alcohol in excess of five percent (5%) by weight, except to a resident corporation as defined in Section 311.060.3, RSMo.

SECTION IV. That Section 600.130 of the Municipal Code of the City of Warrenton, Missouri, be and hereby is amended by deleting Section 600.130 in its entirety and enacting, in lieu thereof, a new Section 600.130 to read as follows:

Section 600.130. Procedure for Issuance of License – Filing.

A. Applications for licenses under the provisions of this Chapter shall be filed with the City, the date of filing being noted thereon. Upon filing an application for a license with the City, such application shall be presented to the Police Department for an investigation of the applicant and the proposed location and premises where the intoxicating liquor is to be sold. The results of the investigation, application and the report from the Police Department shall be presented to the Board of Aldermen.

B. Notwithstanding the provisions of subsection (A) to the contrary, applications for Caterer (5BWC) or Picnic (RBDP) licenses shall be filed with the City, the date of filing being noted thereon. Upon filing an application for such license with the City, the application shall be presented to the Police Department for an investigation of the applicant and the proposed location and premises where the intoxicating liquor is to be sold. The results of the investigation, application and the report from the Police Department shall be presented to the City Administrator.

Section V. That Section 600.140 of the Municipal Code of the City of Warrenton, Missouri, be and hereby is amended by deleting Section 600.140 in its entirety and enacting, in lieu thereof, a new Section 600.140 to read as follows:

Section 600.140. License, Grant and Issuance – Contents.

A. No license applied for pursuant to this Chapter shall be granted unless and until a majority of the members elected to the Board of Aldermen vote in favor thereof. Upon a vote granting the license applied for, the City shall issue such license which shall describe the kind of license, the license fee, the premises on which sale is to be made, the name of the license holder, the date of issuance and period of time for which such license is granted. Denial of license by the Board of Aldermen shall be issued in writing.

B. Notwithstanding the provisions of subsection (A) to the contrary, Caterer (5BWC) or Picnic (RBDP) licenses applications shall not be required to be presented to the Board of Aldermen for approval. The City Administrator is authorized to approve such license applications so long as the City Administrator finds the standards provided for herein are met. Denial of a Caterer or Picnic license by the City Administrator shall be issued in writing.

SECTION VI. That Section 600.180 of the Municipal Code of the City of Warrenton, Missouri, be and hereby is amended by deleting Section 600.180 in its entirety and enacting, in lieu thereof, a new Section 600.180 to read as follows:

Section 600.180 More than Five Licenses by Any One Person Prohibited.

A. No person, corporation, employee, officer, agent, subsidiary or affiliate thereof shall:

1. Have more than five (5) licenses; or
2. Be directly or indirectly interested in any business of any other person, corporation or employee, officer, agent, subsidiary or affiliate thereof who sells intoxicating liquor at retail by the drink for consumption on the premises described in any license; and
3. Sell intoxicating liquor at retail by the drink for consumption at the place of sale at more than five (5) places in the City .

B. Notwithstanding any other provision of this Chapter to the contrary, for the purpose of determining whether a person, corporation, employee, officer, agent, subsidiary or affiliate thereof has a disqualifying interest in more than five (5) licenses pursuant to Subsection (A) of this Section, there shall not be counted any license to sell intoxicating liquor at retail by the drink for consumption on the following premises:

1. Restaurants where at least fifty percent (50%) of the gross income of which is derived from the sale of prepared meals or food consumed on the premises where sold; or
2. Establishments which have an annual gross income of at least two hundred thousand dollars (\$200,000.00) from the sale of prepared meals or food consumed on the premises where sold; or
3. Facilities designed for the performance of live entertainment and where the receipts for admission to such performances exceed one hundred thousand dollars (\$100,000.00) per calendar year; or
4. Any establishment having at least forty (40) rooms for the overnight accommodation of transient guests.

SECTION VII. Effective Date: This Ordinance shall be in full force and take effect from and after its final passage and approval.

SECTION VIII. Savings Clause: Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

SECTION IX. Severability Clause: If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall

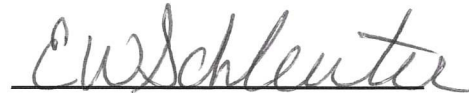
be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 21st day of May, 2024.



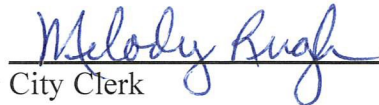
President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 21st day of May, 2024.



Mayor

ATTEST:



City Clerk