

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 610.120 E BY ADDING A NEW SECTION "5" REQUIRING A CRIMINAL RECORD CHECK WITH EACH LIQUOR LICENSE RENEWAL

WHEREAS, sale of intoxicating liquor is an important activity that requires the highest degree of integrity and honesty.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That Section 610.120 is hereby amended to add a new Section 610.120 E 5 to read as follows:

5. With each application for renewal the applicant shall submit a criminal record check dated within six months preceding the date of the renewal application for each individual owner, or partner if a partnership or if an LLC, all members of a LLC must submit such a criminal record check. If applicant is a corporation, the following individuals must submit a criminal record check: the managing officer, each officer and director; and all shareholder(s) who own ten percent or more of the stock of the business. The record check must be issued by the Missouri Criminal Records Division of the Missouri Department of Public Safety or its successors.

Section 2. Severability.

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgement or decree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. Upon final passage and approval of the Mayor or passage and approval over the Mayor's objections pursuant to Section 110.250 of this code this Ordinance shall be in full force and effect from and after January 1, 2016.

READ FIRST TIME: September 17, 2015

READ SECOND TIME: October 1, 2015

I hereby certify that the above Ordinance No. 15.81 was duly passed on October 1, 2015.

Ayes: 5
Abstentions: 0


Nays: 1
Absent: 0

This Ordinance is hereby transmitted to the Mayor for her signature.

October 1, 2015
Date



Diann Warner, City Clerk

Approved as to form:


Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 15.81.

October 1, 2015
Date


Penny Lyons, Mayor

ATTEST:


Diann Warner, City Clerk

