

ORDINANCE NO. 180605

Amending Chapter 10, Code of Ordinances, by repealing Section 10-340, Orders or sales off licensed premises, and enacting in lieu thereof a new section of like number and subject matter which will allow customers to pay for alcoholic beverages online for the purpose of allowing alcoholic beverages to be delivered to a person's home without requiring them to first purchase the alcohol in person at the store which is currently required.

WHEREAS, there are currently liquor licensed businesses that have expressed an interest in having the ability to deliver alcoholic beverages; and

WHEREAS, there has been an increase in the number of app-based delivery businesses that deliver many different items to a person upon request through the app; and

WHEREAS, Section 10-340 of the Code of Ordinances of the City of Kansas City, Missouri, does not allow alcoholic beverages to be delivered unless the alcoholic beverages are ordered and paid for, in person, on the licensed premises; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 10 is hereby amended by repealing Section 10-340, Orders or sales off licensed premises, and replacing it with a new section of like number and subject matter to read as follows:

Sec. 10-340. Orders or sales off licensed premises.

(a) No retail licensee, nor employee of the licensee, shall sell alcoholic beverages in any place other than that designated on or otherwise authorized by the license.

(b) No retail licensee, nor employee of the licensee, shall take any order off the licensed premises for the sale of alcoholic beverages at retail even though the orders are filled and delivery thereof made on the licensed premises.

(c) Exceptions.

(1) Nothing in this provision shall be construed to prevent any hotel, motel or club from serving any alcoholic beverage to any guest in any private guest room, if the alcoholic beverage is served from a licensed premises within the hotel, motel or club, or from selling alcoholic beverages in a private guest room from a controlled access liquor cabinet system.

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- (2) Nothing in this provision shall be construed so as to prevent a licensee who has been issued a temporary catering permit under the provisions of this chapter from furnishing alcoholic beverages and services at a location other than the licensed premises, pursuant to the permit.
- (3) Nothing in this provision shall be construed so as to prevent a retail licensee from delivering alcoholic beverages in the original package or container to a location off or outside of the licensed premises, if:
 - a. The delivery is not received by a person who is under of 21 years of age, a habitual drunkard, or any person who is intoxicated or who is actually or apparently under the influence of alcoholic beverages as stated in section 10-332;
 - b. The delivery is made during the hours and days of sale allowed for the licensee, as provided by section 10-333.

Approved as to form and legality:



Martha Means
Assistant City Attorney



Authenticated as Passed



City James Mayor



Marilyn Sanders, City Clerk

AUG 30 2018

Date Passed