

ORDINANCE NO. 5616

AN ORDINANCE AMENDING SECTION 4-46 OF THE LINDSBORG MUNICIPAL CODE RELATING TO DISQUALIFICATIONS FOR CEREAL MALT BEVERAGE LICENSURE.

WHEREAS, the Governing Body of the City of Lindsborg, Kansas have deemed it necessary, advisable, and prudent to update the Code of the City of Lindsborg, Kansas, with respect to certain disqualifications for cereal malt beverage licensure, to bring such code into conformity with State law, specifically as it relates to the removal of a residency requirement.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LINDSBORG, KANSAS:

Section 1. Prior to the enactment of this ordinance, Chapter 04, Article II, Section 4-46 of the Code of the City of Lindsborg read, in full, as follows:

No license shall be issued to:

- (1) A person who has not been a resident in good faith of the state of Kansas for at least one year immediately preceding application and a resident of McPherson County for at least six months prior to filing of such application.
- (2) A person who is not a citizen of the United States.
- (3) A person who is not of good character and reputation in the community in which he or she resides.
- (4) A person who, within two years immediately preceding the date of making application, has been convicted of a felony or any crime involving moral turpitude, or has been adjudged guilty of drunkenness or driving a motor vehicle while under the influence of intoxicating liquor or the violation of any other intoxicating liquor law of any state or of the United States.
- (5) A partnership, unless all the members of the partnership shall otherwise be qualified to obtain a license.
- (6) A corporation if any manager, officer or director thereof or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation would be ineligible to receive a license hereunder for any reason other than non-residence within the city or county.
- (7) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 25 percent of the stock, of a corporation which:
 - a. Has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or
 - b. Has been convicted of a violation of the drinking establishment act or the cereal malt beverage laws of this state.
- (8) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.

(9) A person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship, retailer residency requirements or age, except that this subsection (i) shall not apply in determining eligibility for a renewal license.

Section 2. Chapter 04, Article II, Section 4-46 of the Code of the City of Lindsborg, Kansas, is hereby amended to read as follows:

No license shall be issued to:

- 1) A person who is not of good character and reputation in the community in which he or she resides.
- 2) A person who is not a citizen of the United States.
- 3) A person who, within two years immediately preceding the date of application approval, has been convicted of, released from incarceration for or released from probation or parole for a felony or any crime involving moral turpitude, drunkenness, driving a motor vehicle while under the influence of intoxicating liquor or violation of any other intoxicating liquor law of any state or of the United States.
- 4) A corporation if any manager, officer or director thereof or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation would be ineligible to receive a license hereunder for any reason.
- 5) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25 percent of the stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 25 percent of the stock, of a corporation which:
 - a. Has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or
 - b. Has been convicted of a violation of the drinking establishment act or the cereal malt beverage laws of this state.
- 6) A limited liability company if any manager thereof, or any individual owning in the aggregate 25 percent or more of the ownership interest therein, would be ineligible to receive a license under this section for any reason.
- 7) A limited liability company if any manager thereof, or any individual owning in the aggregate 25 percent or more of the ownership interest therein, has been a member, manager, officer, director, or owner of 25 percent or more of the ownership interest in an entity which:
 - a. Has had a retailer's license revoked under K.S.A. 41-2708, and amendments thereto; or
 - b. Has been convicted of a violation of the drinking establishment act or the cereal malt beverage laws of this state.
- 8) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.

- 9) A person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship, retailer residency requirements or age, except that this paragraph shall not apply in determining eligibility for a renewal license.

Section 3. All prior ordinances or parts thereof in conflict herewith are hereby repealed as to the conflicting portion only.

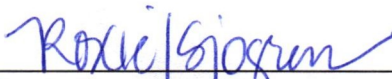
Section 4. This ordinance shall be in effect upon its publication in the official city newspaper.

Passed by the Governing Body and approved by the mayor on this 19th day of October 2026.



Clark Shultz
Mayor

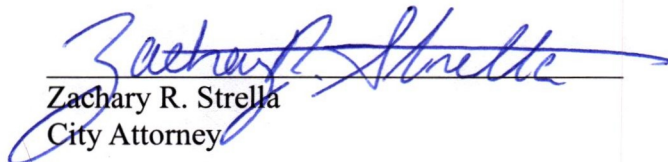
ATTEST:



Roxie Sjogren, MMC
City Clerk



APPROVED AS TO FORM:



Zachary R. Stella
City Attorney

ORDINANCE NO. 5616

SUMMARY OF AN ORDINANCE AMENDING SECTION 4-46 OF THE LINDSBORG MUNICIPAL CODE RELATING TO DISQUALIFICATIONS FOR CEREAL MALT BEVERAGE LICENSURE.

WHEREAS, on October 19, 2026, the City of Lindsborg passed Ordinance Number 5616, which amends Chapter 04, Article II, Section 4-46 of the Code of the City of Lindsborg. These changes bring the City Code into conformity with State law by removing the following as a disqualification for holding a cereal malt beverage license: "A person who has not been a resident in good faith of the state of Kansas for at least one year immediately preceding application and a resident of McPherson County for at least six months prior to filing of such application."

The complete text of this ordinance can be found in the office of the City Clerk, free of charge and on the City's website for at least one week following the publication of this Summary at www.lindsborgcity.org or in the office of the City Clerk, 101 S. Main Street, free of charge. This ordinance shall become effective upon its publication in the official city newspaper.

Passed by the governing body of the City of Lindsborg, Kansas on October 19, 2026 and approved and signed by the Mayor.



Signed by Clark Shultz
Mayor

ATTEST:

Roxie Sjogren, City Clerk

APPROVED AS TO FORM:

Zachary R. Strella, City Attorney