

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. \_\_\_\_\_

### AN ORDINANCE

Amending Chapter 4 of the City Code as it relates to the prohibition of drink specials; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

#### Section 4-23 Prohibition on Drink Specials

1. After 9:00 p.m. each day until 1:30 a.m. the following day, a licensee, employee, or agent of a licensee shall not sell, offer to sell, or deliver an alcoholic beverage to any person for consumption on the licensed premises at no cost or at a reduced or special price which is less than the normal retail price established by the licensee for the alcoholic beverage.

2. For purposes of this section, an alcoholic beverage offered at a "reduced or special price" includes, but is not limited to, the following:

a. an unlimited number of servings of alcoholic beverages for one fixed price, cover charge, entry fee or donation;

b. the sale of more than one alcoholic beverage for the price of one alcoholic beverage;

c. the sale of an alcoholic beverage at a price less than or equal to the licensee's cost to purchase the alcohol;

d. the sale of an alcoholic beverage to a defined classification of individuals for a different cost than the cost to other patrons;

e. free samples or tastings of any alcoholic beverage; or

f. an increase in the volume of the alcoholic beverage contained in a serving without increasing proportionately the normal retail price for such alcoholic beverage based on the increased volume.

3. For purposes of this section, "normal retail price" shall mean the regularly established drink price charged by the licensee for each alcoholic beverage sold on the premises and which is the amount charged to the customer for no less than seventy percent (70%) of the alcoholic beverage sales occurring within a week. Once established, the normal retail price shall be effective for a period of at least one week before it may be changed by the licensee. The normal retail price shall be set forth in writing and shall meet the following minimum requirements:

a. include the serving size;

b. include the normal retail price;

c. contain the effective date of the price;

d. must be available on the licensed premises where the sale of alcohol beverages is occurring; and

e. shall be provided to any customer or agent of the City upon request.

4. This section shall not apply to private catered special events conducted on private property pursuant to a written contract between the licensee and the event sponsor which has been executed at least 72 hours in advance of the catered event for which the event sponsor pays a flat fee to the licensee and there is no admission fee charged to attendees on the date of the event.

Secs. 4-234—4-25.-Reserved.

SECTION 2. Severability clause. It is hereby declared to be the intention of the City Council that the 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 invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinances since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or section.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor