

PROCLAMATION

EMERGENCY ORDER NO. 2020-2

An Emergency Order issued by the Mayor of the City of Lee's Summit, Missouri, during the COVID-19 Health Emergency to suspend a certain portion of the Code of Ordinances to allow for the sale of alcohol at the curbside of certain local establishments.

WHEREAS, on March 17, 2020, the Mayor of the City of Lee's Summit, Missouri (the "City") issued a Proclamation which declared a state of emergency exists within the City due to the 2019 novel coronavirus (COVID-19); and,

WHEREAS, a state of emergency continues to exist within the City of Lee's Summit, Missouri due to the 2019 novel coronavirus (COVID-19) pandemic; and,

WHEREAS, on April 14, 2020, the Missouri Division of Alcohol and Tobacco Control issued an Industry Circular – Emergency Waiver – Retailer – Packaged Alcohol, attached hereto as Exhibit A, to temporarily suspend the portion of the definition of "original package" in 11 CSR 70-2.010(5) that requires retailer's to use the manufacturer's original container, to the extent necessary to allow retailer-packaged alcoholic beverages under certain conditions; and,

WHEREAS, the Code of Ordinances of the City of Lee's Summit Section 4-15(a) specifically prohibits the sale of alcohol in or about any motor vehicle; and,

WHEREAS, in order to support local businesses and provide options for the citizens of the City, the Mayor of the City of Lee's Summit desires to allow such sales to occur as provided by the above referenced Industry Circular and further provided by this Order; and,

WHEREAS, this Order is being issued pursuant to the authority granted to the Mayor in Section 10-2 of the City Code, which provides that the Mayor may promulgate rules and orders to implement and clarify the March 17, 2020, City Emergency Declaration, as extended.

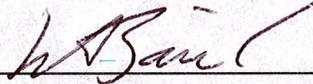
NOW THEREFORE, I, William A. Baird, Mayor of the City of Lee's Summit Missouri, do hereby declare that:

1. Enforcement of Section 4-15(a) of the Code of Ordinances of the City of Lee's Summit, Missouri is hereby suspended subject to the conditions listed in the Industry Circular, Exhibit A attached hereto and incorporated herein by reference as if fully set out herein, and the following:
 - a. Any such curbside sales shall occur at the curb line immediately adjacent to the licensed premises, within the parking lot of the licensed premises, or on adjacent property immediately adjoining or separated from the licensed premises only by an intervening street, alley, highway, or other public thoroughfare.
2. During the term of the above referenced State of Emergency, the requirement for sales to occur "on premises" as required by 4-15(b) shall include locations immediately adjacent to the licenses premises, as described in section 1.a. of this Emergency Order.

3. This Emergency Order shall be in full force and effect immediately and shall remain in effect during the current state of emergency, unless earlier terminated or further extended by written order of the Mayor.
4. The parts and provisions of this Emergency Order No. 2020-2 shall be severable, and in the event that a court of competent jurisdiction rules that any part or provision of this Emergency Order No. 2020-2 is unlawful or unconstitutional the remaining parts and provisions shall remain in full force and effect.

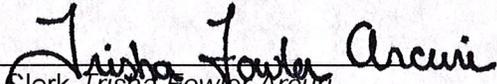
IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Lee's Summit, Missouri, at three o'clock p.m. on the 16th day of April, 2020.

CITY OF LEE'S SUMMIT, MISSOURI



MAYOR WILLIAM A. BAIRD

ATTEST:



City Clerk Trisha Fowler Arcuri



DIVISION OF ALCOHOL AND TOBACCO CONTROL

Michael L. Parson
Governor

Sandra K. Karsten
Director, Public Safety



Dorothy E. Taylor
State Supervisor

INDUSTRY CIRCULAR

Emergency Waiver – Retailer-Packaged Alcohol

Issued April 14, 2020

The Division has received approval from the Governor's Office to proceed with an emergency waiver to temporarily suspend the portion of the definition of "original package" in 11 CSR 70-2.010(5) that requires utilizing the manufacturer's original container, to the extent necessary to allow retailer-packaged alcoholic beverages under the following conditions:

1. The alcohol container must be durable, leak-proof, and sealable, and meet the minimum size requirements outlined in 11 CSR 70-2.010(5);
2. The patron must have ordered and purchased a meal simultaneous with the liquor purchase;
3. The licensee must provide the patron with a dated receipt for the alcohol beverage(s); and
4. The sealed alcohol container must either be:
 - a. Placed in a one-time-use, tamperproof, transparent bag which must be securely sealed; or
 - b. The container opening must be sealed with tamperproof tape;

The change does not allow liquor licensees to sell mixed drinks in 'to-go' plastic or Styrofoam cups with straws or loose covers.

This suspended definition will expire at the end of the Governor's emergency declaration, which is May 15, 2020.

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