

**CEREAL MALT BEVERAGE**

---

**BASIS** Any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute or any flavored malt beverage, but does not include any such liquor which is more than 3.2% alcohol by weight, for use or consumption and not for resale in any form.

**On-Premise Consumption:** Consumption of cereal malt beverage ON premises for Taverns (less than 50% of gross revenues derived from the sale of food), General/Restaurants (more than 50% of gross revenues derived from the sale of food), etc.

**Off – Premise Consumption:** Consumption of cereal malt beverage OFF premises for grocery stores, convenience stores, etc.

There are three different types of applications with one that must be completed depending on the type of business: 1) Individual/Sole Proprietor and the City of Wichita Supplemental Information Application for Individual; 2) Partnership, Firm or Association and the City of Wichita Supplemental Information Application for Partnership/Firm/Association; 3) Corporate and the City of Wichita Supplemental Information Application for Corporation.

**On-Premise Special Event Retailers’ Permit:** Consumption of cereal malt beverage ON premises for a permit holder to offer for sale, sell and serve cereal malt beverage for consumption on unlicensed or unpermitted premises, which may be open to the public.

**LEGAL REFERENCE**

K.S.A. Chapter 41, Article 27; Chapter 4.12, Code of the City of Wichita, Kansas.

**REGULATIONS**

A license to sell cereal malt beverage is non-transferable and non-refundable.

Cereal malt beverage can be sold for on-premise consumption between 6:00 a.m. and midnight, Monday through Saturday and on Sunday, except Easter Sunday, between the hours of 12:00 noon and 8:00, p.m. in all places of business which derive not less than 50% of their gross receipts from the sale of food. No tavern may be open at any time on Sunday.

Cereal malt beverage can be sold for off-premise consumption between 6:00 a.m. and midnight, Monday through Saturday and between noon and 8:00 p.m. on any Sunday except Easter Sunday. Cereal malt beverage can be sold for off-premise consumption on Election Day and all other holidays.

No license to sell cereal malt beverage shall be issued to a tavern located within 300 feet from a church, public park, public or parochial school or residential zoning district. Renewal of a license is allowed for any premises that is within these prohibited distance requirements but whose use is grandfathered, so long as the tavern continues to be used for cereal malt beverage sales. If such use ceases for a period of 90 days or more, no new license shall be issued for sale of cereal malt beverage on the premises. The 90 days should be counted starting with the first day following the closing of the location if there is remodeling or repair work being done on an establishment.

The Special Event Retailers’ Permit shall be issued for the duration of the special event, the dates and hours of which shall be specified in the permit, no more than four special event retailers’ permits shall be issued to the same applicant in a calendar year, not transferable or assignable, and shall not be subject to the provisions of the beer and cereal malt beverage keg registration act, K.S.A. 41-2901 *et seq.* and amendments thereto.

**ENFORCING AUTHORITY**

Police Department; MABCD; City Council

**FEES**

On-Premise Consumption/Tavern (less than 50% of gross revenues from sale of FOOD).....\$225.00  
On-Premise Consumption/General/Restaurant (need 50% or more gross revenue from sale of FOOD).....\$225.00  
Off-Premise Consumption (grocery stores, convenience stores, etc.)/Retailer.....\$75.00  
On-Premise Special Event Retailers’ Permit per Day .....\$65.00

\$25.00 has been added to all license fees for the State of Kansas excise tax. The excise tax is sent to the State on a monthly basis.

Licenses expire one year from approval date. Please allow 30 days for approval.