



Liquor License Guidelines

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If you have any questions or need any assistance please do not hesitate to contact me.

The City of Warrensburg makes every effort to make the liquor license application procedure as easy as possible. The current liquor license classifications are defined by Missouri State Statutes. This means that in order to qualify for a City liquor license you have to be in compliance with Missouri State requirements as well. Any new license application will apply with the City first for business, liquor, dance hall and cigarette licenses if applicable. At that point the applicant will be given a letter of approval to be taken to the Division of Alcohol and Tobacco to process the Missouri State Licenses after all the local requirements are met and fees are paid. In most cases the only documentation that the applicant needs to provide to the City that the State does not require is proof of State of Missouri voter registration and paid personal/property tax for the individual and property location.

Liquor licenses are classified by the amount of food sales. With the exception of Not for Profit Organizations, Tavern and Package Liquor licenses.

Definitions and information on the classifications are provided in the following pages.

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Restaurant Bar Definition (City)

Restaurant bar shall be defined as set forth in the provisions of RSMo 311.097, as amended from time to time.

(2) In order for a restaurant bar to qualify for a city license, it must, in addition to the requirements of this chapter, satisfy all state requirements for a license to do business and hold a state liquor license as a restaurant bar, as defined under RSMo 311.097. All requirements of RSMo 311.097, as amended from time to time, for obtaining a restaurant bar license are hereby incorporated within the provisions of this section.

Restaurant Bar Definition (State)

Chapter 311 Liquor Control Law Section 311.097

311.097. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of control may issue, a license to sell intoxicating liquor, as in this chapter defined, between the hours of 9:00 a.m. on Sunday and midnight on Sunday by the drink at retail for consumption on the premises of any restaurant bar as described in the application or on the premises of any establishment having at least forty rooms for the overnight accommodations of transient guests. As used in this section, the term "restaurant bar" means any establishment having a restaurant or similar facility on the premises at least fifty percent of the gross income of which is derived from the sale of prepared meals or food consumed on such premises or which has an annual gross income of at least two hundred thousand dollars from the sale of prepared meals or food consumed on such premises.

Sunday Restaurant Bar

(b) In order for a restaurant bar or new restaurant to qualify under this section, it must, in addition to the requirements of this chapter, satisfy all state requirements for a license to do business and hold a liquor license as a restaurant bar or new restaurant bar, as defined under RSMo 311.097, and must operate a restaurant as defined in this chapter. All requirements of RSMo 311.097, for obtaining a restaurant bar license are hereby incorporated within the provisions of this section.

Restaurant Bar Comments

In order to qualify for a Restaurant Bar License for the City of Warrensburg the establishment must hold a state liquor license as a restaurant bar. To meet this qualification and obtain a "no age restriction" endorsement the establishment must hold a Sunday License with the State.

Restaurant Bar food sales qualifications below:

As used in this section, the term "restaurant bar" means any establishment having a restaurant or similar facility on the premises at least fifty percent of the gross income of which is derived from the sale of prepared meals or food consumed on such premises or which has an annual gross income of at least two hundred thousand dollars from the sale of prepared meals or food consumed on such premises. (gross income food sales only)

Any restaurant bar establishment that has a dance hall license, live entertainment and/or pool tables will be restricted to 21 and over after 11:00 p.m. unless accompanied by parent or legal guardian.

Dance hall license is still required if dancing of any kind is to be held at location.

Restaurant Bar Age Restriction Operational Guidelines

(i) The age restrictions listed in subsections (c) and (d) of this section shall not apply between the hours of 5:00 a.m. and 11:00 p.m. to any establishment holding a restaurant bar or new restaurant bar license and whose operations include all of the following:

- (1) Preparing and/or serving of food for consumption on the premises by the general public and whose operations are open to the general public.
- (2) Regularly scheduled hours of operation at least three (3) days per week for a total of at least twelve (12) hours per week at least thirty-six (36) weeks per year.
- (3) At least ten (10) hours of operation each week between the hours of 8:00 a.m. and 8:00 p.m.
- (4) The preparation and/or serving of food for consumption on the premises must take place during all hours the operation is open for business before 9:00 p.m. and after 8:00 a.m.
- (5) A commercial kitchen in operation, to include at least:
 - (i) a commercial stove,
 - (ii) a refrigerator,
 - (iii) a commercial sink or dishwashing equipment,
 - (iv) at least two full time employees working exclusively in the kitchen.

Any applicant who shall demonstrate compliance with these requirements shall have an endorsement upon their license which reads “No age restrictions from 5:00 a.m. to 11:00 p.m.” Failure to establish these requirements and obtain the endorsement at the time of license issuance will exclude the licensee from this provision.

(j) Notwithstanding subsection (i), a restaurant bar or new restaurant bar may receive a “no age restrictions” endorsement for all hours of operation by meeting all requirements of subsection (i) and also:

- (i) Not holding a dance hall permit or permitting a public dance as defined by Chapter Four of the Code of Ordinances on the licensed premises, and
- (ii) Not permitting or allowing the performance of live or prerecorded music between 11:00 p.m. and 1:30 a.m. in the licensed premises, except that prerecorded background music shall be allowed so long as the total ambient sound level in the establishment does not exceed 70 decibels during that time period, and
- (iii) Not maintaining any pool or billiard tables in the licensed establishment for use by the public.

(k) Any restaurant bar or new restaurant bar that does not meet the requirements of subsection (j) that desires to allow persons under twenty-one years of age to enter the licensed premises unaccompanied by a parent or guardian between the hours of 11:00 p.m. and 1:30 a.m. may do so by closing the room in which intoxicating liquor or non-intoxicating beer is dispensed during those hours, or by securely locking all refrigerators, cabinets, cases, boxes and taps from which intoxicating liquor and nonintoxicating beer are dispensed during those hours and by serving no intoxicating liquor or non-intoxicating beer during those hours.

Section 3-31 amends the commercial kitchen operation guidelines; (5) A commercial kitchen in operation, to include at least the following for any premises whose total square footage for customer occupancy exceeds one thousand two hundred fifty square feet or whose occupancy limit is less than 50 persons.

Dance Hall Definition/Comments

(a) It shall be unlawful for any person, firm or corporation, either as principal, agent or employee, to conduct, pursue, carry on, or operate any public dance in any hall or public place or to permit dancing in such place within the limits of the City of Warrensburg without a license.

Dance Hall Licenses must be obtained for any type of dancing establishment even if they do not sell alcohol. Holding a dance hall license in liquor establishments restricts the age to enter the premises to 21 and over unless accompanied by parent or legal guardian after 11:00 p.m.

Resort Definition (City)

Resort shall be defined as set forth in the provisions of RSMo 311.095, as amended from time to time.

(2) In order for a resort to qualify for a city license, it must in addition to the requirements of this chapter, satisfy all state requirements for a license to do business and have in its possession a state liquor license as a resort, as defined under RSMo 311.095, and all requirements of RSMo 311.095, as amended from time to time for obtaining a resort license are hereby incorporated within the provisions of this section.

Resort Definition (State)

311.095. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises of any resort as described in the application. As used in this section the term "resort" means any establishment having at least thirty rooms for the overnight accommodation of transient guests, having a restaurant or similar facility on the premises at least sixty percent of the gross income of which is derived from the sale of prepared meals or food,

or means a restaurant provided with special space and accommodations where, in consideration of payment, food, without lodging, is habitually furnished to travelers and customers, and which restaurant establishment's annual gross receipts immediately preceding its application for a license shall not have been less than seventy-five thousand dollars per year with at least fifty thousand dollars of such gross receipts from nonalcoholic sales, or means a seasonal resort restaurant with food sales as determined in subsection 2 of this section. Any facility which is owned and operated as a part of the resort may be used to sell intoxicating liquor by the drink for consumption on the premises of such facility and, for the purpose of meeting the annual gross receipts requirements of this subsection, if any facility which is a part of the resort meets such requirement, such requirement shall be deemed met for any other facility which is a part of the resort.

Resort Comments

All State Liquor Licenses (Monday through Saturday) are classified as a resort. All City of Warrensburg Liquor license holders that do not hold a Sunday Restaurant Bar license with the state will also be classified as a resort, do not qualify for the "no age restriction" endorsement and will be classified as 21 and over unless accompanied by parent or legal guardian.

Resort food sale qualification below:

and which restaurant establishment's annual gross receipts immediately preceding its application for a license shall not have been less than seventy-five thousand dollars per year with at least fifty thousand dollars of such gross receipts from nonalcoholic sales. (gross receipts may be other than food but not alcohol)

All resorts are restricted to 21 and over unless accompanied by parent or legal guardian.

Dance hall license is still required if dancing of any kind is to be held at location.

Tavern Definition

Tavern shall mean an establishment licensed to sell malt liquor by the drink or light wine for consumption on the premises, but not licensed to sell intoxicating liquor by the drink.

(g) Taverns.

Upon application as required by this chapter and receipt of a city license it shall be lawful for a tavern to sell malt liquor by the drink or light wine for consumption on the premises, but it shall not be lawful for the tavern to sell intoxicating liquor by the drink. If indicated in the application, an applicant may apply for a malt liquor only tavern license. In such case, the license holder may not sell light wine for consumption on the premises.

Sunday Tavern

(d) Any tavern with a license to sell only malt liquor and non-intoxicating beer may operate at retail between the hours of 9:00 a.m. Sunday and midnight.

Malt Liquor/Light Wine Description

Light wine shall mean any wine containing not in excess of fourteen (14) percent of alcohol by weight made exclusively from grapes, berries or other fruits and vegetables.

Malt liquor shall mean any liquor containing alcohol in excess of three and two-tenths (3.2) percent by weight and not in excess of five (5) percent by weight, manufactured from pure hops or pure extraction of hops or pure barley malt or wholesome grain or cereals and wholesome yeast or pure water.

Tavern Comments

Tavern Licenses are not based on food sales. License holders may only sell malt liquor and light wine. Taverns may sell on Sunday if they hold a Malt liquor only license. A separate license is required for Sunday sales if the establishment holds a malt liquor/light wine license.

All taverns are restricted to 21 and over unless accompanied by parent or legal guardian.

Dance hall license is still required if dancing of any kind is to be held at location.

Amusement Place Definition (City)

Amusement place shall be defined as set forth in the provisions of RSMo 311.098, as amended from time to time.

Amusement Place Definition (State)

311.098. 1. Notwithstanding any other provisions of this chapter to the contrary, any person who possesses the qualifications required by this chapter, and who now or hereafter meets the requirements of and complies with the provisions of this chapter, may apply for, and the supervisor of alcohol and tobacco control may issue, a license to sell intoxicating liquor, as defined in this chapter, between the hours of 9:00 a.m. and midnight on Sunday by the drink at retail for consumption on the premises of any amusement place as described in the application. As used in this section the term "amusement place" means any establishment whose business building contains a square footage of at least six thousand square feet, and where games of skill commonly known as billiards, volleyball, indoor golf, bowling or soccer are usually played, or has a dance floor of at least two thousand five hundred square feet, or any outdoor golf course with a minimum of nine holes, and which has annual gross receipts of at least one hundred thousand dollars of which at least fifty thousand dollars of such gross receipts is in nonalcoholic sales.

Amusement Age Restriction

(h) The age restrictions contained in subsections (c) and (d) of this section shall not apply to any establishment holding an amusement license or new amusement license and whose nonalcoholic sales arise out of operation of any establishment containing one (1) of the following:

- (1) Three (3) or more bowling lanes.
- (2) A golf course of nine (9) or more holes.

Civic Not For Profit Definition (City)

(b) Notwithstanding any other provision of this chapter, any person who possesses the qualification required by this chapter, and who now or hereafter meets the requirements of the ordinances, rules and regulations of the city, may apply for, and with the approval of the city manager or his designee, the city collector shall issue a license to sell intoxicating liquor by the drink at retail for consumption on the premises to any charitable, fraternal, religious, service or veteran's organization which has obtained an exemption from the payment of federal income taxes as provided in Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended.

(c) Notwithstanding any other provision of this chapter, any person who possesses the qualification required by this chapter, and who now or hereafter meets the requirements of the ordinances, rules and regulations of the city, may apply for, and with the approval of the city manager or his designee, the city collector shall issue a license to sell intoxicating liquor between the hours of 12:00 noon on Sunday and midnight on Sunday by the drink at retail for consumption on the premises to any charitable, fraternal, religious, service or veteran's organization which has obtained an exemption from the payment of federal income taxes as provided in Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended.

Civic Not For Profit Definition (State)

311.090. 1. Any person who possesses the qualifications required by this chapter, and who meets the requirements of and complies with the provisions of this chapter, and the ordinances, rules and regulations of the incorporated city in which such licensee proposes to operate his business, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises described in the application; provided, that no license shall be issued for the sale of intoxicating liquor, other than malt liquor containing alcohol not in excess of five percent by weight, and light wines containing not in excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other fruits and vegetables, by the drink at retail for consumption on the premises where sold to any person other than a charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954,

as amended, in any incorporated city having a population of less than nineteen thousand five hundred inhabitants, until the sale of such intoxicating liquor, by the drink at retail for consumption on the premises where sold, shall have been authorized by a vote of the majority of the qualified voters of the city. Such authority shall be determined by an election to be held in those cities having a population of less than nineteen thousand five hundred inhabitants as determined by the last preceding federal decennial census, under the provisions and methods set out in this chapter. Once such licenses are issued in a city with a population of at least nineteen thousand five hundred inhabitants, any subsequent loss of population shall not require the qualified voters of such a city to approve the sale of such intoxicating liquor prior to the issuance or renewal of such licenses. No license shall be issued for the sale of intoxicating liquor, other than malt liquor containing alcohol not in excess of five percent by weight, and light wines containing not

in excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other fruits and vegetables, by the drink at retail for consumption on the premises where sold, outside the limits of such incorporated cities unless the licensee is a charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended.

2. Notwithstanding any other provisions of this chapter to the contrary, any charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, between the hours of 11:00 a.m. on Sunday and midnight on Sunday by the drink at retail for consumption on the premises described in the application. The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations of the state relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to organizations licensed under this subsection in the same manner as they apply to establishments licensed under subsection 1 of this section and sections 311.085 and 311.095.

Age Restrictions do not apply to Civic not for Profit and the establishment is not required to provide food sales.

Catering Description (City)

Catering business shall mean any business involving the provision and/or service of food and/or beverages for a private occasion, function or event whether prepared on the premises of the occasion, function or event or not.

(h) Temporary location for liquor by the drink and caterers license.

(1) The city collector shall, upon approval of the city manager or his designee, issue a temporary permit to caterers who hold licenses to sell intoxicating liquor by the drink at retail for consumption on the premises pursuant to the provisions of this chapter, or to persons operating a catering business who hold a license to sell intoxicating liquor by the drink at retail for consumption on their premises issued by another municipality or county government, who furnish provisions and service for use at a particular function, occasion or event at a particular location other than their primary business location whether licensed under this chapter or not, but not including a “festival” as defined in RSMo Chap. 316. The temporary permit shall be effective for period not to exceed one hundred twenty (120) consecutive hours and shall authorize the service of alcoholic beverages at such function, occasion or event during the otherwise lawful hours for service of alcoholic beverages.

(2) All other applicable provisions of state law and municipal ordinance shall apply to the use of any temporary permit hereunder. Such a temporary permit shall not include the sale of packaged alcoholic beverages, except as set forth in subsection (4) below.

(3) No temporary license hereunder or caterer’s privilege hereunder may be used at any location that has otherwise been issued a liquor license under this chapter.

Catering Age Restriction

(f) It shall not be unlawful for any person under the age of twenty-one (21) to enter upon the permanent or temporary premises of any licensee licensed under the provision of section 3-34 of this chapter, or the temporary premises of any catering event under subsection 3-32(h).

Catering Comments

Catering functions are regulated by the type of liquor license the applicant holds. Taverns may only cater malt liquor/light wine events and Resorts may not cater on Sunday. Age restrictions do not apply to catered events. Catering events are not allowed at on the premises of any location that holds a current liquor license.

Package Sales

Original package shall mean any package containing one-half (.5) pint or more of intoxicating liquor, excepting malt liquor or any package containing three (3) or more standard bottles of malt liquor or nonintoxicating beer.

(a) No license shall be issued for the sale of intoxicating liquor in the original package, not to be consumed upon the premises where sold, except to a person engaged in and to be used in connection with, the operation of one (1) or more of the following businesses:

- (1) A drugstore;
- (2) A cigar and tobacco store;
- (3) A grocery store;
- (4) A general merchandise store;
- (5) A confectionery or delicatessen store;

nor to any such person who does not have or keep in his store a stock of goods having a value according to invoices of at least one thousand dollars (\$1,000.00), exclusive of fixtures and intoxicating liquors.

(b) Under this license, no intoxicating liquor shall be consumed on the premises where sold, nor shall any original package be opened on the premises of the vendor, except as otherwise provided by law.

(c) Sales of intoxicating liquor in the original package for off-premises consumption are hereby permitted on Sunday. Said license or permit shall be secured under the same rules, requirements and conditions as all other alcoholic beverage licenses. No additional license shall be required for Sunday sales of malt liquor and non-intoxicating beer for consumption off-premises and in the original package for persons holding a license to sell only malt liquor and non-intoxicating beer in the original package for consumption off-premises.

(d) An applicant may seek a license under this section to sell only malt liquor and non-intoxicating beer for sale in the original package for consumption off the premises.