COUNCIL BILL NO. 2022-010 ORDINANCE NO.

AN ORDINANCE amending Section 10-82 – "Presence of underage persons" by adding an exemption for axe throwing clubs.

WHEREAS, the City Code currently exempts bowling alleys from Section 10-82; and

WHEREAS, the Council finds that axe throwing clubs are an analogous use and desire to exempt them from Section 10-82.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Section 10-82 – "Presence of underage persons" is amended to read as follows:

(a) It shall be unlawful for any licensee holding a bar license of intoxicating liquor or nonintoxicating beer, or his employee, agent or servant, to either directly or indirectly suffer or allow a person under the age of 21 years to enter the premises or to linger or loiter in or about such premises. This section shall not apply to premises used primarily as a bowling alley **or an axe throwing club**, or to any person who is of the age of 18 years but under the age of 21 years and is employed as authorized by RSMo. 311.300.

(b) It shall be unlawful for any licensee holding a modified bar license of intoxicating liquor or nonintoxicating beer, or his employee, agent or servant, to either directly or indirectly suffer or allow:

(1) Any person under the age of 15 years to enter the premises or linger on or about such premises without the presence of a parent or legal guardian and after 10:00 p.m.

(2) Any person under the age of 21 years to enter the premises to linger on or about the premises after 10:00 p.m.

This section shall not apply to premises used primarily as a bowling alley **or an axe throwing club**, or to any person who is of the age of 18 years but under the age of 21 years and is employed as authorized by RSMo. 311.300.

(3) There shall be no restriction on the presence of persons under the age of 21 in or about any premises licensed as a restaurant/bar.

(c) For purposes of this section, the term "premises used primarily as a bowling alley" shall mean the amount of bowling and bowling supplies and equipment sales total at least 50 percent of the gross income of an establishment during the three most recent calendar months preceding.

(d) **For the purposes of this section, the term "premises used primarily as an axe throwing club" shall mean an establishment that has (1) a minimum of four axe throwing lanes, each of which shall have a minimum height of ten feet and a minimum width of six feet, (2) axes of no more than 12 inches in length and a head weight of no more than two pounds, and (3) complies with the safety standards promulgated by the World Axe Throwing League.**"

(e) This section shall not prohibit the presence of persons under the age of 21 years who are on the premises solely for the purpose of repairing fixtures or equipment, making deliveries to the premises, or cleaning the premises; provided that, except in the case of emergency, there is no alcoholic beverage then being consumed on the premises."

Note: language which is **bold, underlined** has been added.

Section 2. That this ordinance shall be in full force and effect from and after its passage.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, 2022, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney