ORDINANCE 19-02

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 1, SUBSECTIONS 8-101(1)(2); 8-102 (5) AND CHAPTER 2 SUBSECTIONS 8-201 (1)(5); 8-212 (11) OF THE MUNICIPAL CODE PERTAINING TO DEFINITIONS AND ALLOWED HOURS OF LIQUOR AND BEER SALES.

BE IT ORDANIED BY THE CITY OF LEWISBURG THAT:

1. **Title 8, Chapter 1, Subsection 8-101 of the Municipal Code be amended as follows:**

8-101. Definitions. The following definitions are applicable to this chapter:

(1) "Alcoholic beverage" or "beverage" means and includes alcohol, spirits, liquor, wine, high alcohol content beer, and every liquid containing alcohol, spirits, wine, and high alcohol content beer an capable of being consumed by a human being, other than patent medicine or beer, as defined in Tennessee Code Annotated § 57-5-101(b), as the same may be amended, supplemented or replaced.

(2) "Wine" means the product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, as further defined by Tennessee Code Annotated, §§ 57-3-101 and 57-3-802, as the same may be amended, supplemented or replaced.

2. **All subsequent sections be renamed as follows:**

8-102. State law incorporated by reference; alcoholic beverages subject to regulation.
8-103. Manufacture prohibited.
8-104. Wholesale business prohibited.
8-105. Certificate of moral character.
8-106. Location and size restrictions on retail business.
8-107. Limitation on number of retailers.
8-108. Inspection fee.
8-109. Bonds required.
8-110. Violations.

3. **Subsection 8-102 (5) be amended to read as follows:**

8-102. State law incorporated by reference; alcoholic beverages subject to regulation.

(5) It shall be unlawful to make or allow any sale of liquor to be consumed on premise between the hours of 3:00 a.m. and 6:00 a.m. each and every day of the week including Sunday and, in addition, between the hours of 3:00 a.m. and 10:00 a.m. on Sunday. (1985 Code, § 2-101, as amended by Ord. #02-05, Aug. 2002, Ord. #19-02. Mar. 2019)

1. **Title 8, Chapter 2, Subsection 8-201(1) be amended as follows:**

8-201. Definitions. The following definitions are applicable to this chapter:

(1) "Beer" shall mean all beer, ale or any other malt beverage, or any other beverages having an alcohol content of not more than eight percent (8%) by weight.

Subsection 8-201 (5) be added as follows as follows:

(5) "High alcohol content beer" means an alcoholic beverage which is beer, ale or other malt beverage as further defined in Tennessee Code Annotated, § 57-3-101, that is brewed, regulated, distributed or sold pursuant to Tennessee Code Annotated, title 57, chapter 3.

2. **Title 8, Chapter 2, Subsection 8-212(11) be amended as follows:**

8-212. Prohibited conduct or activities by beer permit holders.

(11) It shall be unlawful to make or allow any sale of beer, or make, cause to allow to be made any gift thereof, between the hours of 3:00 a.m. and 6:00 a.m. each and every day of the week including Sunday and, in addition, between the hours of 3:00 a.m. and 10:00 a.m. on Sunday. (Ord. #97-14, Sept. 1997, modified as amended by Ord. #01-03, May 2001, Ord. #02-05, Aug. 2002, Ord. #16-08, June 2016, Ord. #16-14, Aug. 2016 and Ord. #19-03, Mar. 2019).

Passed first reading this **12th** day of **March, 2019**

Jim Bingham, Mayor — **ATTEST: Pamela R. Davis, City Recorder**

Passed seconded reading this **9th** day of **April, 2019**

Jim Bingham, Mayor — **ATTEST: Pamela R. Davis, City Recorder**

Passed third and final reading this **14th** day of **May, 2019**

Jim Bingham, Mayor — **ATTEST: Pamela R. Davis, City Recorder**