

ORDINANCE NO. 613

**AN ORDINANCE TO AMEND TITLE 8 OF
THE CITY OF CLINTON CODE BOOK RELATIVE
TO SPECIAL EVENT BEER PERMITS**

WHEREAS, the City of Clinton has authority pursuant to the city's charter Article III, Section 1(t) to license and regulate all persons, firms, corporations, companies, and associations in any business, occupation, calling, profession, or trade not forbidden by law; and

WHEREAS, the City of Clinton has authority pursuant to the city's charter Article III, Section 1(v) to define, prohibit, abate, suppress, prevent, and regulate all acts, practices, conduct, business occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience, or welfare of the inhabitants of the City, and to exercise general police powers; and

WHEREAS, the City of Clinton has authority pursuant to the city's charter Article III, Section 1(w) to prescribe limits within which business occupations or practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted, or maintained; and

WHEREAS, municipalities are granted broad authorities to regulate the sale of beer within city limits; and

WHEREAS, the City of Clinton already has many regulations regarding the sale of beer; and

WHEREAS, the city council wants to permit and regulate the sale of beer for special events.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF CLINTON, TENNESSEE:**

SECTION 1. Title 8, Chapter 2 of the municipal code is amended by adding the following as subsection 8-210 (5):

Class "E" A special event permit to any bona fide charitable, nonprofit, political or governmental organization engaged in a city-sanctioned and/or sponsored festival, celebration, and event. Special event beer permits must comply with all other regulations found in Title 8, Chapter 2, with the exception of sections 8-208 (8), 8-214, and 8-216 and 8-220. For the purposes of this section, bona fide charitable or nonprofit organization means any corporation or legal entity which has been recognized as exempt from federal taxes under section 501c of the Internal Revenue Code. Bona fide political organization means any political campaign committee as defined in T.C.A. §2-13-101. Special event beer permits are permissible in the City of Clinton with the following requirements:

- (1) Permits are valid for 72 hours during city-sanctioned and/or sponsored festivals, celebrations, and events.
- (2) The legal hours of sale or consumption at authorized events shall be the following:
Monday through Saturday 8:00 am to 11:00 pm
Sunday 12:00 noon to 11:00 pm
- (3) No organization may be granted more than two Class E special event permits within a calendar year.
- (4) Permit applications must be submitted 60 days prior to the start of the event for which a permit is requested.

(5) In addition to the permit application requirement described in 8-207 and 8-208 the following information must be submitted with an application for a Class E special event permit:

- (a) The organization applying for the special event permit, contact person, address and phone number.
 - (b) Date(s) and time(s) of event.
 - (c) The event manager's name, address and phone number. For the purposes of this section, event manager means the individual(s) responsible for the oversight and/or dispensing of such alcoholic beverages.
 - (d) The specific location where beer is to be sold or served.
 - (e) Plans for security and policing the area(s) where beer is to be sold.
 - (f) If the event covered by the permit will be held on land not owned by the applicant, a written statement of approval from the landowner must accompany the special event application.
- (6) Permit applications are valid only for on-premises consumption inside an enclosed and/or fenced area with restricted ingress/egress points.
- (7) Any signs or other displays promoting the sale of beer in general, or of a specific beer or beers must be within the enclosed and/or fenced area restricted for consumption.
- (8) The applicant shall send a representative(s) to such City of Clinton Beer Board meeting to address any questions or issues arising out of the proposed special event.
- (9) If approved the Class E special event permit shall have affixed on its face the name of the proposed vendor(s) of beer, the specific location(s) and date(s) where such vendor is permitted to sell beer under the permit.

SECTION 2. Title 8, Chapter 2 of the municipal code is amended by adding the following as subsection 8-211 (4):

Class "E" Permits: All Zoning Districts.

SECTION 3. Severability clause. If any section, phrase, sentence or portion of this ordinance is held invalid or unconstitutional for any reason by any court or competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of remaining portions thereof.

SECTION 4. This ordinance shall be effective upon final passage, the public welfare requiring it.

APPROVED:



Scott Burton, Mayor



Regina Ridenour, City Recorder

Passed First Reading: January 25, 2016

Passed Second Reading: February 22, 2016