

ORDINANCE 2014-07

AN ORDINANCE TO AMEND TITLE 8, OF THE ARLINGTON MUNICIPAL CODE BY THE AMENDMENT, DELETION AND ADDITION OF CERTAIN SECTIONS OF TITLE 8, CHAPTER 2

WHEREAS, Tennessee Code Annotated empowers the Town of Arlington to pass proper ordinances governing the issuance and revocation or suspension of license for the storage, sale, manufacture and/or distribution of beer within the corporate limits of the Town; and

WHEREAS, the Board of Mayor and Aldermen deem it necessary for the purpose of promoting the health, safety, morals and general welfare of the Town to amend said Arlington Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Arlington, Tennessee, that Title 8, Chapter 2, of the Arlington Municipal Code be amended as follows:

- 1) Section 8-210 shall be deleted.
- 2) Section 8-214 shall be deleted.
- 3) Section 8-226 shall be deleted and replaced with the following language:
 “2-226. Method of Measuring Location Distance Prohibitions. Whenever in this chapter a distance is specified within which beer for on-premise or off-premise consumption is prohibited, that distance shall be measured in a straight line from the closest point on the building of the School or Church, to the closest point on the building of the permit applicant, in a multi-tenant building to the nearest point on the space leased by the applicant in a multi-tenant building, in which beer is to be sold, stored, distributed, or manufactured.”
- 4) Section 8-232 shall be deleted and replaced with the following language:
 “8-232. Zoning restriction of alcoholic beverage retailers. No person, firm or corporation shall locate an establishment for the retail warehousing, sale or manufacture of beer for on-premise consumption in any “Neighborhood Restaurant” as defined by the Town of Arlington Zoning Ordinance.”
- 5) Section 8-234 shall be amended by changing the required bond amount from \$1,500.00 to \$2,500.00.
- 6) Section 8-236 shall be added as follows:
 “8-236 Off-premises consumption sales of draft beer.
 (a) Draft beer may be sold for off-premises consumption only by the holder of an off-premises beer permit, except as otherwise permitted in Section 8-237 of this chapter.

 (b) For purposes of this section only, except where the context clearly indicates a different meaning, draft beer means beer which is poured from a pressurized container or keg into a container approved by the state, which is then commercially sealed. The process of pouring the beer into the container and commercially sealing it shall take place on the premises of the retailer in an area separate from the area which the public may use.”

7) Section 8-237 shall be added as follows:

"8-237. Sales for off-premises consumption by beer manufacturers operating as restaurants. Notwithstanding any other provisions of this chapter, or any rule or regulation of the Town of Arlington to the contrary, any manufacturer of beer operating as a restaurant and licensed to sell beer for on-premise consumption therein shall have the right to sell beer to go, provided that such beer is manufactured within the premises of the restaurant and is sold unopened and in the original container."

8) Section 8-224 to be amended as follows:

Delete the following: "In no event will a beer permit be issued authorizing the on premises storage for sale or sale of beer at places within two-hundred twenty-five feet (225') of any school or church."

Insert in its place: "In no event will a beer permit be issued authorizing the on premises storage for sale or sale of beer at places within five hundred feet (500') of any school or church, except in the B-3 Zoning District for which no distance requirement is set."

BE IT FURTHER ORDAINED that this ordinance shall take effect upon its final reading and publication in a newspaper of general circulation, the public health, safety and welfare requiring it.

Approved by the Board of Mayor and Aldermen

1st Reading July 7, 2014

2nd Reading August 4, 2014

Public Hearing August 4, 2014

Publication July 11, 2014

Mayor

Attest:

Recorder