

ORDINANCE NO. 2017-315

AN ORDINANCE OF THE TOWN OF WALDEN, TENNESSEE UPDATING THE SUSPENSION, REVOCATION AND PENALTY PROVISIONS OF THE BEER ORDINANCE

WHEREAS, Title 8, Chapter 2 of the Walden Municipal Code contains provisions relating to the sale of beer as authorized by state law; and

WHEREAS, revisions in state law require amendment of the beer ordinance in order to bring the town into compliance with the same

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

Section 1: That the following revisions be made to Title 8, Chapter 2 of the Walden Municipal Code by deleting Section 8-212 in its entirety and substituting therefor:

8-212. Civil penalty in lieu of revocation or suspension.

(1) For the purposes of this section, "responsible vendor" means a person, corporation or other entity that has been issued a permit to sell beer for off-premises consumption and has received certification by the Tennessee Alcoholic Beverage Commission under the "Tennessee Responsible Vendor Act of 2006," Tennessee Code Annotated, § 57-5-601, et seq.

(2) The beer board may, at the time it imposes a revocation or suspension, offer a permit holder that is not a responsible vendor the alternative of paying a civil penalty not to exceed two thousand five hundred dollars (\$2,500.00) for each offense of making or permitting to be made any sales to minors, or a civil penalty not to exceed one thousand dollars (\$1,000.00) for any other offense.

(3) The beer board may impose on a responsible vendor a civil penalty not to exceed one thousand dollars (\$1,000.00) for each offense of making or permitting to be made any sales to minors or for any other offense.

(4) If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn. Payment of the civil penalty in lieu of revocation or suspension by a permit holder shall be an admission by the holder of the violation so charged and shall be paid to the exclusion of any other penalty that the city may impose.

Section 2. Effective Date. This ordinance shall take effect upon its publication, the public welfare requiring it.

2/14/17 First Reading

YEA 3

NAY 0

3/14/17 Second Reading

YEA 3

NAY 0



William Trohanis, Mayor



Fern Lockhart, Recorder