



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

ORDINANCE (ID # 3444)

Meeting: 12/12/23 06:00 PM

Department: Legal

Category: Amendment

Prepared By: Penny Medlock

Initiator: Ed McKenney

Sponsors:

DOC ID: 3444

Ordinance 23-07, an ordinance to amend Title 8, Chapter 1, Alcoholic Beverages, and Chapter 3, Beer, of the Codified Ordinances of the City of Bartlett.

WHEREAS some of the provisions of Title 8, Chapter 1 (Alcoholic Beverages) and Chapter 3 (Beer), of the Codified Ordinances of the City of Bartlett are obsolete or otherwise inadequate; and

WHEREAS the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, desires to amend said Chapters and Sections.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE:

Section 1. That Chapter 1, Section 8-102(1), Consumption of alcohol in municipal parks and playgrounds prohibited, be amended to read as follows:

8-102. Consumption of alcohol in municipal parks and playgrounds prohibited-exceptions. (1) Except as specifically provided herein, it shall be a violation of this chapter for any person to consume and/or possess alcoholic beverages, beer or wine in municipal parks and playgrounds. The only exceptions are events with Board of Mayor and Aldermen-approved special event permits; events with Beer Board-approved temporary beer permits; events with a liquor license issued by the Tennessee Alcoholic Beverage Commission.

Section 2. That a new section be added to Chapter 3, Section 8-316, Temporary permits, which shall read as follows:

8-316. Temporary permits. Temporary beer permits may be issued to a nonprofit applicant at the request of the applicant upon the same terms and conditions governing permanent permits. Temporary permits shall be issued as one (1) of two (2) types:

(1) A single event permit. A single-event permit shall be valid for a maximum of three (3) days, with the actual number of days to be determined by the Beer Board based upon the information provided by the applicant.

(2) A multiple event permit. A multiple event permit may be issued for a fixed number

of events during a calendar year. The exact dates and locations of each event must be approved by the Beer Board at the time of issuance of the permit.

If the event covered by a temporary permit will be held on land not owned by the applicant, a written statement of approval from the landowner must accompany the temporary permit application. Such a temporary permit shall not allow the sale, storage or manufacture of beer on publicly owned property unless said applicant is a bona fide charitable or nonprofit organization and can show that the owner of the publicly owned property approves of the permit application.

Notwithstanding, § 8-313 and § 8-314 of the City of Bartlett Code of Ordinances, the Beer Board is authorized to place any and all restrictions it deems necessary on temporary permits, including, but not limited to, restricted hours of sale and limitations on the number of sale locations/stations or other time, place, and manner restrictions as deemed proper in consideration of minimum traffic interruption, public safety, health, welfare, convenience, peace or order. Temporary permit holders are prohibited from conduct or activities stated in § 8-310. The following provisions shall also apply to temporary permit holders:

(a) Temporary permits may be issued only to an applicant who intends to operate in a location that is temporary in nature.

(b) A temporary permit holder shall not be subject to the annual privilege tax or application fee of § 8-312 of the municipal code. There is hereby imposed an application fee as provided in the annual budget ordinance for applying for a temporary permit and all other provisions governing the issuance of a permit shall apply.

(c) The application for a temporary beer permit shall set forth the following information:

- (i) The name, address, and telephone number of the chairperson of the charitable or nonprofit organization seeking a temporary beer permit;
- (ii) The name, address, and telephone number of the person responsible for beer sales under the permit;
- (iii) The date and time when the event will be held;
- (iv) The hours which beer sales will be conducted during the event; and
- (v) The proposed location for beer sales.

Section 3. That Section 8-312, Beer permit and application fee required, be amended to read as follows: Upon filing of an application for a beer permit the applicant shall pay to the

tax clerk of the City of Bartlett an application fee as provided in the annual budget ordinance. Said fees are non-refundable.

Section 4. Severability

Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading: November 14, 2023

Second Reading: November 28, 2023

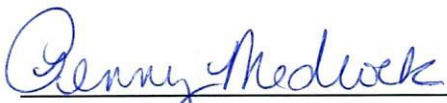
Third Reading: December 12, 2023



Harold Brad King, Register to the
Board of Mayor and Aldermen



David Parsons, Mayor



Penny Medlock, City Clerk

RESULT: **APPROVED ON THIRD AND FINAL RE [UNANIMOUS]**

MOVER: David Reaves, Alderman

SECONDER: Robert Griffin, Alderman

AYES: King, Griffin, Reaves, Williams, Young, Quinn