

ORDINANCE NO. 2009-6

AN ORDINANCE TO AMEND SIGNAL MOUNTAIN TOWN CODE, TITLE 8, CHAPTER 1, SECTION 8-106, REGARDING THE LOCATION OF ANY ESTABLISHMENT SELLING ALCOHOLIC BEVERAGES OF MORE THAN FIVE (5%) PERCENT ALCOHOL CONTENT WITHIN THE TOWN, AND AMENDING TITLE 8, CHAPTER 2, SECTION 8-242, REGARDING THE LOCATION OF ANY ESTABLISHMENT SELLING BEER WITHIN THE TOWN.

SECTION 1: BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, That Title 8, Chapter 1, Section 8-106 be deleted in its entirety and the following language substituted in lieu thereof:

Sec. 8-106. Location of Any Liquor Store and/or Establishment Selling Alcoholic Beverages with More than Five (5%) Alcohol Content.

- (1) No liquor store and/or establishment selling alcoholic beverages with more than five (5%) percent alcohol content shall be located anywhere on premises in the Town except on the ground floor thereof. Each such store shall have only one main entrance; however, a wholesale liquor store located on the corner of two (2) streets may have a door opening on each street.
- (2) The location of any liquor store shall be located within a Highway Commercial Zone and/or Planned Commerce Center, as defined by the Signal Mountain Zoning Ordinance.
- (3) No liquor store and/or establishment selling alcoholic beverages with more than five (5%) percent alcohol content shall be located within five hundred (500') feet, or two hundred (200') feet for consumption off the premises, as measured from any doorway entrance of the establishment regularly used for public ingress and egress to the nearest doorway entrance of any school, church, or other place of public gathering, specifically including day care centers, as

defined in the Signal Mountain Zoning Ordinance. The Town Council may provide temporary permits to persons selling wine or mixed alcoholic beverages for consumption on the premises at the Mountain Arts Community Center (MACC) after consideration of an application and issuance of a permit by the Town Council pursuant to Section 8-128 of the Signal Mountain Town Code.

(4) No liquor store and/or establishment selling alcoholic beverages with more than five (5%) percent alcohol content shall be permitted to operate within the Town of Signal Mountain until a Certificate is obtained from the Town Council, as required by T.C.A. § 57-3-208 and the Town receives an inspection fee authorized by T.C.A. § 57-3-501, to the maximum amount allowed by the State of Tennessee for the time of operation.

SECTION 2. BE IT FURTHER ORDAINED, That Title 8, Chapter 2, Section 8-242 be deleted in its entirety and the following language substituted in lieu thereof:

8-242. Location of Premises to be Designated.

The location of the premises where any beer sales will be conducted shall be provided in the application and permit for beer sales within the Town. An applicant may obtain a temporary permit for the sale of beer or other beverage of like alcoholic content for consumption within the premises of the Mountain Arts Community Center (MACC) after consideration of an application and issuance of a permit by the Town Council pursuant to Section 8-240 of the Signal Mountain Town Code.

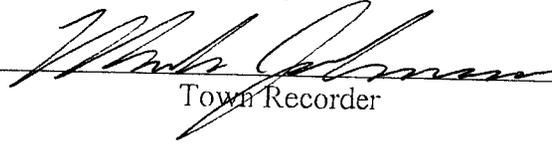
SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall become effective immediately from and after its passage as provided by law.

Passed First Reading 4-13, 2009.

Passed Second Reading 5-11, 2009.



Mayor



Town Recorder

PAN/kac