

ORDINANCE NO. 2005-03
AMENDED 10 DAY OF December, 2007

AN ORDINANCE REGULATING THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES WITHIN THE TOWN OF CEDAR BLUFF, ALABAMA; ESTABLISHING LICENSE FEES AND TAXES; PROVIDING LICENSE PROCEDURES; ESTABLISHING PUNISHMENT FOR VIOLATIONS, AND OTHER MATTERS.

WHEREAS, the Town of Cedar Bluff previously enacted Ordinance No. 2005-3 on or about May 20, 2005 regulating the sale and distribution of alcoholic beverages in the Town, among other things; and

WHEREAS, the Town Council desires to make certain changes in the regulation of the sale and distribution of alcoholic beverages in the Town;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Cedar Bluff, Alabama, that said Ordinance is hereby amended and certain portions modified, and it is further Ordained that the following sections are hereby amended to reflect as follows:

ARTICLE I.

SECTION 4(11) shall be amended and state as follows:

(11) Container: The single bottle, can or other receptacle in which alcoholic beverages are originally packaged for the market by the manufacturer or importer, and from which the alcoholic beverage is consumed by or dispensed to the public.

ARTICLE III.

SECTION 7 (3) shall be amended and read as follows:

(3) The privilege license fees levied under Subsection (1) of this Section with the exception of Paragraphs (o) and (p) above, shall be due and payable in conjunction with the schedule for license renewal required by the Board for renewal of licenses granted by the Board as set forth in *Alabama Code* Section 28-3A-5. Pursuant to said Section, privilege licenses granted by the Town shall be valid from January 1st of each year until December 31st of the same calendar year. Licenses shall become due and payable on or before January 1st of each year, or on the date established by the Board for the ensuing year, and shall be delinquent if not secured each year by January 20th or the 20th day of the first month of the license year established by the Board. If the license is not secured by January 20th or paid by the 20th day of the first month of the license year established by the Board, such person or firm failing or refusing to file application and obtain said license, as provided in this chapter, while continuing to enjoy their privilege allowed under said license, shall be subject to a penalty of 50% of the Town's license fees and taxes, which penalty shall be collected at the time of issuance of another license. If said license is not renewed as provided herein, or if any fees or taxes due the Town are not paid as required by this Ordinance, the license shall be deemed delinquent and the Town shall be entitled to take any action set forth in Section 5 of this Article.

All other provisions of this Ordinance not otherwise amended as above shall remain in full force and effect.

EFFECTIVE DATE:

This amendment shall be effective immediately upon its adoption, approval and publication according to law.

ADOPTED and APPROVED this 10 day of December, 2007.

Matthew Barkis
Mayor

ATTEST:

Dee-Lan Martz
Town Clerk

CERTIFICATE

THE ABOVE AND FOREGOING ORDINANCE NUMBER 2005-03 AMENDED, WAS DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR BLUFF, ALABAMA, AT A REGULARLY SCHEDULED MEETING HELD ON THE 10TH DAY OF DECEMBER, 2007 AND WAS DULY PUBLISHED BY POSTING SAID ORDINANCE IN FOUR (4) PLACES WITHIN THE CORPORATE LIMITS OF THE TOWN OF CEDAR BLUFF, ALABAMA. THE ORDINANCE WAS POSTED IN THE FOLLOWING PLACES: (1) TOWN HALL, (2) UNION STATE BANK, (3) REGIONS BANK, (4) CEDAR BLUFF POST OFFICE ON DECEMBER 11, 2007.


DeLANA MARTIN, TOWN CLERK