



MEMORANDUM

To: Mayor and City Council

Through: Mike Land, City Manager

From: Christel Pettinos, City Secretary

Date: August 14, 2018

Reference: Consider approval of an Ordinance amending the Code of Ordinances by repealing Chapter 6, "Business Regulations" Article 6-16, "Alcoholic Beverages" in its entirety and replacing it with a new Chapter 6, "Business Regulations," Article 6-16, "Alcoholic Beverages" to be in compliance with the Texas Alcoholic Beverage Code; providing a penalty for violation not to exceed the sum of two thousand dollars (\$2,000) for each offense; providing an effective date and authorizing the Mayor to sign.

Introduction:

At the July 24, 2018 City Council Work Session, staff presented on the proposal of extending late hours to alcohol permit holders. With the recent hotel developments, it has been brought to our attention that a late hours alcohol permit for on-premise mixed beverages would be beneficial for their events and receptions. However, the local option election in 2006 did not permit the signing of late hours on alcohol permits. Coppell's current alcohol ordinance allows for the sale of off-premise wine and beer sales and on-premise mixed beverages with a food certificate until midnight. The proposed ordinance amendment would allow for on-premise mixed beverage sales until 2 a.m.

Analysis:

A section of the Alcoholic Beverage Code allows for the sale of mixed beverages between midnight and 2 a.m. based on the population of the county and only requires an amendment to the existing ordinance. The Alcoholic Beverage Code reads:

Sec. 105.03. HOURS OF SALE: MIXED BEVERAGES.

(c) In a city or county having a population of 800,000 or more, according to the last preceding federal census, or 500,000 or more, according to the 22nd Decennial Census of the United States, as released by the Bureau of the Census on March 12, 2001, a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(d) In a city or county other than a city or county described by Subsection (c), the extended hours prescribed in Subsection (c) of this section are effective for the sale of mixed beverages and the offer to sell them by a holder of a mixed beverages late hours permit:

(1) in the unincorporated areas of the county if the extended hours are adopted by an order of the commissioners' court; and

(2) in an incorporated city or town if the extended hours are adopted by an ordinance of the governing body of the city or town.

(e) A violation of a city ordinance or order of a commissioners' court adopted pursuant to Subsection (d) of this section is a violation of this code.

Since most of Coppell resides in Dallas County, the ordinance amends the current process and permits for the sale and service until 2 a.m. However, alcohol permit holders in Denton County would not qualify for this provision unless we specifically state permission in the amended ordinance. Therefore, it is requested to include the jurisdiction of the City of Coppell within Dallas and Denton counties.

Legal:

The new ordinance permits the sale of mixed beverages with food service until 2 a.m. Monday-Saturday, and from 10 a.m. and noon on Sundays.

Fiscal Impact:

None.

Recommendation:

Approval recommended.