



MEMORANDUM

To: Mike Land, City Manager
From: Christel Pettinos, City Secretary
Date: July 10, 2018
Reference: Option to permit late hours for alcohol sales

General Information:

The question came up about extending late hours to alcohol permit holders. Since the local option election in 2006, Coppell has not permitted 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, which requires 51% of its sales to come from something other than alcohol. Permit holders must have a minimum of eight entrees and three sides available to its customers.

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:

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, an ordinance would simply amend the current process and permit 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 stated permission in the amended ordinance.

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. It also accounts for the facilities operating within the physical boundary of the city limits.

Recommendation:

Should City Council choose to consider amending the current alcohol ordinance, it is advised, yet not required, that we publish notice in the newspaper and conduct a public hearing for the community's input.