

ORDINANCE NO. 2018-11

An Ordinance to Amend Ordinance 1994-1012.

BE IT ORDAINED by the City Council of the City of Alexander City, Alabama, as follows:

WHEREAS, the City of Alexander City, Alabama, ("the City") presently has an Ordinance (No. 1012) which generally prohibits the distribution and consumption of alcoholic beverages on City properties; and

WHEREAS, the City has adopted an Ordinance (No. 2015-11) creating an Arts and Entertainment District which provides for the distribution and consumption of such beverages on City property if all requirements of the Arts and Entertainment District Ordinance are met; and

WHEREAS, the City owns the public golf course known as Lakewinds Golf Course which is licensed to distribute alcoholic beverages by the Alabama Beverage Control Board (ABC); and

WHEREAS, the City has leased or plans to lease in the future certain properties to tenants who desire to distribute alcoholic beverages to their customers or members;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Alexander City Alabama, as follows:

WHEREAS, the City Council desires to clarify Ordinance No. 1012 and to remove any conflict with Ordinance No. 1012 and the Arts and Entertainment District Ordinance (No. 2015-11) as well as the Lakewinds Golf Course and other leased premises to distribute alcoholic beverages, Ordinance No. 1012 is hereby amended as follows:

Ordinance No. 1012, (prohibition of alcohol on specified City property) is hereby amended by deleting the following phrase:

"provided that such term shall not mean nor include premises which have been duly licensed by the City of Alexander City, Alabama, for sale thereon of such beverages" and substituting the following language:

"provided that such term shall not include City owned streets or leased premises which are a part of the Arts and Entertainment District pursuant to Ordinance No. 2015-11 or City owned premises leased to a person or entity which has an ABC license to distribute alcoholic beverages".

THEREFORE, the Ordinance No. 1994-1012 shall read as follows:

SECTION 1. It shall be unlawful for any person to drink or have in open or unconcealed possession, or custody, for drinking, selling, serving, dispensing, or give away; or attempting to drink, sell, serve, dispense, or give away, any liquor, wine or malt brewed beverages, while upon any street, avenue, or alley, or in any public building or upon any property, or while in any other public place in the City of Alexander City, Alabama. As used in this section, the term "public place" shall mean and include any place or gathering which the public generally attends or is admitted to either by invitations, common consent or right, or by payment of an admission or other charge, and, without limited the generality of the foregoing, shall include any theatre or other place of amusement and any contest; provided that such term shall not include City owned streets or leased premises which are a part of the Arts and Entertainment District pursuant to Ordinance No. 2015-11 or City owned premises leased to a person or entity which has an ABC license to distribute alcoholic beverages".

SECTION 2. This Amendment to Ordinance shall be effective from date of its passage, and shall be published one (1) time in The Alexander City Outlook, a daily newspaper published in the City of Alexander City, Alabama.

ADOPTED AND APPROVED this 17th day of September 2018.

ATTEST:

Amanda F. Thomas
Amanda F. Thomas, City Clerk

Thomas J. Spraggins
Thomas J. Spraggins, Council President

James D. Nabors
James D. Nabors, Mayor

CERTIFICATION OF CITY CLERK

The undersigned, as City Clerk of the City of Alexander City, Alabama, hereby certifies that the foregoing is a true, correct and complete copy of **Ordinance No. 2018-11** which was adopted by the City Council on this 17th day of September 2018.

WITNESS MY SIGNATURE, as City Clerk of the City Alexander City, Alabama, under the seal thereof, this 17th day of September 2018.

SEAL

Amanda F. Thomas
City Clerk of the
City of Alexander City, Alabama

Yeas: Tapley, Colvin, Hardy, Brown, Spraggins, & Funderburk

Nays: None

Publisher's Certificate of Publication

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Steve Baker, being duly sworn, says:
That he is Publisher of the Alexander City Outlook,
a daily newspaper of general circulation, printed
and published in Alexander City, Tallapoosa County,
Alabama; that the publication, a copy of which is at-
tached hereto, was published in the said newspaper
on the following dates:

09/21/18

That said newspaper was regularly issued and
circulated on those dates.

The sum charged by the Newspaper for said publi-
cation does not exceed the lowest rate paid by com-
mercial customers for an advertisement of similar
size and frequency in the same newspaper in which
the public notice appeared.

There are no agreements between the Alexander
City Outlook and the officer or attorney charged with
the duty of placing the attached legal advertising
notices whereby any advantage, gain or profit ac-
crued to said officer or attorney.

SIGNED:

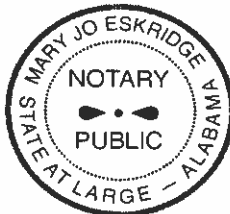


Steve Baker, Publisher

Subscribed and sworn to before me this
21st Day of September, 2018



Mary Jo Eskridge, Notary Public
State of Alabama at Large
My commission expires 03-05-2022



Account # 143941
Ad # 617307

CITY OF ALEXANDER CITY
PO BOX 552
ALEXANDER CITY AL 35011

PUBLIC NOTICE

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ATTEST: Amanda F. Thomas,
City Clerk
Thomas J. Spraggins, Council President
James D. Nabors, Mayor

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as City Clerk of the City Al-