

ORDINANCE #16-17

**AN ORDINANCE TO AMEND TITLE 8, OF THE NOLENSVILLE MUNICIPAL CODE
PERTAINING TO ON-PREMISES BEER CONSUMPTION**

WHEREAS, the Town of Nolensville enacted an ordinance regarding the sale and distribution of Beer in Ordinance #96-10 and Ordinance #97-04; and

WHEREAS, the Town reviews its ordinance from time to time to make necessary adjustments; and

WHEREAS, the Board of Mayor and Alderman desires to enact this amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF THE TOWN OF NOLENSVILLE THAT PORTIONS OF THE BEER ORDINANCE FOUND IN TITLE 8, CHAPTER 2 ARE AMENDED AS FOLLOWS:

Section 1. Title 8, Chapter 2 Section 205 (9) is added:

Notwithstanding the food sales requirement in (7) above, in the case of a business whose primary business is the manufacture of beer, a permit for on-premises beer consumption may be granted for the business premises. Such a business may only sell beer for on-premises consumption within the hours of 4:00 p.m. to 9:00 p.m. on Thursday and Fridays, and 12:00 p.m. to 9:00 p.m. on Saturdays. These restrictions shall not be construed to apply to the sale of beer for off-premises consumption, but the business shall not sell beer for either on-premises or off-premises consumption on Sundays. For the purpose of this section, “primary business” is defined as a business in which at least ninety percent (90%) of its gross income is derived by the manufacture and distribution of beer it manufactures.

Section 2. Title 8, Chapter 2 Section 207 (2b) that currently reads as follows:

(b) No permit authorizing the sale of beer will be issued when such business would cause congestion of traffic or would interfere with schools, churches, or other places of public gathering, or would otherwise interfere with the public health and safety of the inhabitants of the Town of Nolensville; or in no event will a permit be issued authorizing the manufacture or storage of beer, or the sale of beer within two hundred fifty feet (250') of any hospital, school, church or other place of gathering except by a manufacturer of beer located in the office/industrial zoning district. The distances shall be measured in a straight line from the nearest point on the property line upon which sits the building from which the beer will be manufactured, stored or

sold to the nearest point on the property line of the hospital, school, church or other place of public gathering.

Shall be amended to read as follows:

(b) No permit authorizing the sale of beer will be issued when such business would cause congestion of traffic or would interfere with schools, churches, or other places of public gathering, or would otherwise interfere with the public health and safety of the inhabitants of the Town of Nolensville; or in no event will a permit be issued authorizing the manufacture or storage of beer, or the sale of beer within two hundred fifty feet (250') of any hospital, school, church or other place of gathering except by a manufacturer of beer located in the office/industrial zoning district. The distances shall be measured in a straight line from the nearest point on the property line upon which sits the building from which the beer will be manufactured, stored or sold to the nearest point on the property line of the hospital, school, church or other place of public gathering. **Notwithstanding the food sales requirement in Chapter 2 Section 205 (7) in the case of a business whose primary business is the manufacture of beer, a permit for on-premises beer consumption may be granted for the business premises. Such a business may only sell beer for on-premises consumption with the hours of 4:00 p.m. to 9:00 p.m. on Thursday and Friday, and 12:00 p.m. to 9:00 p.m. on Saturdays. These restrictions shall not be construed to apply to the sale of beer for off-premises consumption, but the business shall not sell beer for either on premises or off-premises consumption on Sundays. For the purpose of this section, "primary business" is defined as a business in which at least ninety percent (90%) of its gross income is derived by the manufacture and distribution of beer it manufactures.**

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage of second reading.

Approved by the Board of Mayor and Aldermen

Jimmy Alexander, Mayor

Attest: _____
Kali Mogul, Town Recorder

Approved as to form and legality: _____
Robert J. Notestine, III, Town Attorney

Passed 1st Reading: _____

Public Hearing: _____

Passed 2nd Reading: _____