

TITLE 8

ALCOHOLIC BEVERAGES¹

CHAPTER

1. INTOXICATING LIQUORS.
2. BEER.

CHAPTER 1

INTOXICATING LIQUORS

SECTION

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8-101. Alcoholic beverages subject to regulation. It shall be unlawful to engage in the business of selling, storing, transporting, or distributing, or to purchase or possess alcoholic beverages within the corporate limits of this city except as provided by Tennessee Code Annotated, title 57. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

¹Municipal code reference

Minors in beer places, etc.: title 11, chapter 1.

State law reference

Tennessee Code Annotated, title 57.

8-102. Application for certificate of good moral character.¹ Before any character certificate, as required by Tennessee Code Annotated, § 57-3-208 or a renewal as required by § 57-3-213 shall be signed by the mayor, or by any aldermen,² an application in writing shall be filed with the city recorder on a form to be provided by the city, giving the following information:

- (1) Name, age and address of the applicant.
- (2) Number of years residence in the city.
- (3) Occupation or business and length of time engaged in such occupation or business.
- (4) Whether or not the applicant has been convicted of a violation of any state or federal law or of the violation of this code or any city ordinance, and the details of any such conviction.
- (5) If employed, the name and address of employer.
- (6) If in business, the kind of business and location thereof.
- (7) The location of the proposed store for the sale of alcoholic beverages.
- (8) The name and address of the owner of the store.
- (9) If the applicant is a partnership, the name, age and address of each partner, and his occupation, business or employer. If the applicant is a corporation, the name, age and address of the stockholders and their degrees of ownership of stock in the corporation.

The information in the application shall be verified by the oath of the applicant. If the applicant is a partnership or a corporation, the application shall be verified by the oath of each partner, or by the president of the corporation.

Each application shall be accompanied by a non-refundable investigation fee of two hundred fifty dollars (\$250.00). (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-103. Applicant to agree to comply with laws. The applicant for a certificate of good moral character shall agree in writing to comply with the state and federal laws and ordinances of the city and rules and regulations of the alcoholic beverage commission of the state for sale of alcoholic beverages. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

¹State law reference

Tennessee Code Annotated, § 57-3-208.

²State law reference

Tennessee Code Annotated, § 57-3-208 requires the certificate of good moral character to be signed by the mayor or a majority of the governing body.

8-104. Applicant to appear before board of mayor and aldermen; duty to give information. An applicant for a certificate of good moral character may be required to appear in person before the board of mayor and aldermen for such reasonable examination as may be desired by the board. (Ord. #88-1, Jan. 1989, as amended by Ord. #__, April 1996, and replaced by Ord. #2005-2, Feb. 2005)

8-105. Action on application. Every application for a certificate of good moral character shall be referred to the chief of police or city administrator for investigation and to the city attorney for review, each of whom shall submit his finding to the board of mayor and aldermen within thirty (30) days of the date each application was filed.

The board of mayor and aldermen may issue a certificate of good moral character to any applicant, which shall be signed by the mayor or by a majority of the board of mayor and aldermen. (Ord. #88-1, Jan. 1989, modified, as replaced by Ord. #2005-2, Feb. 2005)

8-106. Residency requirement.¹ The City of Spencer establishes no residency requirement upon the applicant for a certificate of good moral character. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-107. Applicants for certificate who have criminal record. No certificate of good moral character for the manufacture or sale at wholesale or retail of alcoholic beverages, or for the manufacture or vinting of wine, shall be issued to any person, (or if applicant is a partnership, any partner, or if the applicant is a corporation, any stockholder), who, within ten (10) years preceding the application for such certificate of good moral character, has been convicted of any felony or of any offense under the laws of the state or of the United States prohibiting the sale, possession, transportation, storage or otherwise handling of intoxicating liquors, or who has during such period been engaged in business, alone or with others, in violation of such laws. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-108. Only one establishment to be operated by retailer. No retailer shall operate, directly or indirectly, more than one (1) place of business for the sale of alcoholic beverages in the city. The word "indirectly," as used in this section, shall include and mean any kind of interest in another place of business by way of stock, ownership, loan, partner's interest or otherwise. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

¹State law reference

Tennessee Code Annotated, § 57-3-208(c).

8-109. Where establishments may be located. It shall be unlawful for any person to operate or maintain any retail establishment for the sale, storage or distribution of alcoholic beverages in the city except at locations zoned for that purpose, but in no event shall any establishment be located within two thousand feet (2,000') of a hospital, church or school, or any other place of public gathering, measured in a straight line¹ between the nearest point on the property line upon which sits the building from which the alcoholic beverages will be sold, stored or distributed, and the nearest point on the property line of the hospital, school, church, or other place of public gathering. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-110. Retail stores to be on ground floor; entrances. No retail store shall be located anywhere on premises in the city except on the ground floor thereof. Each such store shall have only one (1) main entrance; provided, that when a store is located on the corner of two (2) streets, such store may maintain a door opening on each such street; and provided further, that any salesroom adjoining the lobby of a hotel may maintain an additional door into such lobby as long as the lobby is open to the public. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-111. Limitation on number of retailers.² No more than three (3) retail licenses for the sale of alcoholic beverages shall be issued under this chapter. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-112. Sales for consumption on premises. No alcoholic beverages shall be sold for consumption on the premises of the seller. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-113. Radios, amusement devices and seating facilities prohibited in retail establishments. No radios, pinball machines, slot machines or other devices which tend to cause persons to congregate in such place shall be permitted in any retail establishment. No seating facilities shall be provided for persons other than employees. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

¹State law reference

See Watkins v. Naifeh, 635 S.W.2d 104 (Tenn. 1982) and other cases cited therein which establish the straight line method of measurement.

²State law reference

Tennessee Code Annotated, § 57-3-208(c).

8-114. Inspection fee. The City of Spencer hereby imposes an inspection fee of five percent (5%) on all licensed retailers of alcoholic beverages located within the corporate limits of the city. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005, modified)

8-115. Violations. Any violation of this chapter shall constitute a civil offense and shall, upon conviction, be punishable by a penalty under the general penalty provision of this code. Upon conviction of any person under this chapter, it shall be mandatory for the city judge or city recorder to immediately certify the conviction, whether on appeal or not, to the Tennessee Alcoholic Beverage Commission. (Ord. #88-1, Jan. 1989, as replaced by Ord. #2005-2, Feb. 2005)

8-116. [Repealed.] (Ord. #88-1, Jan. 1989, as repealed by Ord. #2005-2, Feb. 2005)

CHAPTER 2

BEER¹

SECTION

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¹State law reference

For a leading case on a municipality's authority to regulate beer, see the Tennessee Supreme Court decision in Watkins v. Naifeh, 635 S.W.2d 104 (1982).

- 8-233. Separate permit and license required for each location.
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8-201. Sale of beer lawful; privilege. It shall hereafter be lawful and is hereby declared to be a privilege to sell, store for resale, or distribute beer of alcoholic content of not more than five percent (5%) by weight, or other beverage of like alcoholic content, within the corporate limits of the City of Spencer, Tennessee subject to all of the regulations, limitations and restrictions hereinafter provided. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-202. Beer board created; duties and powers. There is hereby created a board, which shall be known and designated as the "beer board," hereinafter referred to in this chapter as the "board." Such board shall be composed of the members of the Board of Mayor and Aldermen of the City of Spencer, Tennessee, who shall vote with other members thereof.

It shall be the duty of the board to regulate and supervise the issuance of permits to store more than one (1) case, distribute and sell beer and other beverages of an alcoholic content of not in excess of five percent (5%) by weight to the persons and in the manner provided herein.

It is hereby declared that the sale of beer in the city is a privilege, and such board is hereby empowered, with complete discretion, to issue, revoke and suspend all licenses to sell beer in the city, and to perform such other duties and to have such other powers and authority as provided in this chapter. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-203. Mayor to preside; right to vote. The mayor shall preside over all meetings of the beer board and shall have one (1) vote. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-204. Oath of board members. The members of the beer board will be required to subscribe to a written oath of office to carry out and enforce Tennessee Code Annotated, title 57, ch. 5, as well as the terms and conditions of this chapter. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-205. Quorum for board. A majority of the members of the beer board shall constitute a quorum for any purpose. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-206. Recorder to be secretary of board. The recorder of the municipality shall be ex-officio secretary of the beer board, but he shall have no vote in its proceedings. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-207. Records of secretary. It shall be the duty of the secretary to keep a record of all the proceedings of the board and to keep on file in his office all original applications, as well as a duplicate of each permit issued by the board. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-208. Inspectors; enforcement. The beer board, acting for the city, may fix the compensation of inspectors for the purpose of enforcing this chapter and other laws, ordinances and rules regulating the distribution, possession, storage and sale of beer, or other beverages of like alcoholic content at wholesale or retail. Such inspector, if appointed, shall hold office by and in the discretion of the board. Members of the police department are fully authorized to enforce all provisions of this chapter at the option of the board in lieu of inspectors as herein above provided. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-209. Permit required for engaging in beer business. It shall be unlawful for any person, firm or corporation, joint stock company, syndicate, or association (all of which shall hereinafter in this chapter be designated as "person") to sell beer or to store beer for sale, possess more than one (1) case of beer, or distribute beer by weight or otherwise, without first making application to and obtaining a permit from the beer board. The application shall be made on such form as the board shall prescribe and/or furnish and shall be accompanied by a non-refundable application fee of two hundred fifty dollars (\$250.00). Said fee shall be in the form of a cashier's check payable to the City of Spencer. Each applicant must be a person of good moral character and certify that he has read and is familiar with the provisions of this chapter. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-210. Off-premises consumption only. Permits issued for the retail sale of beverages coming within the provisions of this chapter shall be restricted to permits providing for off-premises consumption only. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-211. Privilege tax. There is hereby imposed on the business of selling, distribution or storing beer a privilege tax of one hundred dollars

(\$100.00). Any person engaged in the sale, distribution, or storage of beer shall remit the one hundred dollars (\$100.00) to the city before the permit is issued to any business subject to this tax, the permit holder shall be required to pay the privilege tax on a prorated basis for each month or portion thereof remaining until the next tax payment date. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000, modified)

8-212. Verification of application; effect of false statement. This application shall be verified by the affidavit of the applicant, made before a notary public or the city recorder, and if any false statement is made in any part of such application the permit or license granted or issued to the applicant shall be revoked by the beer board. The board shall appoint a committee consisting of the police department and the city recorder to investigate permit applications and within the second meeting of the board after the application is filed, to make a report of its investigation with its recommendations to the board. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-213. Suspension or revocation. All permits issued by the beer board under the provisions of this chapter shall be subject to suspension or revocation by said board for the violation of any of the provisions of the State Beer Act or any of the provisions of this chapter. A permit holder under indictment for violation of the law against prohibitions, sale, manufacture, or transportation of intoxicating liquors, gambling, drug laws, or of any crime involving moral turpitude may have his permit suspended by said beer board pending the outcome of such indictment. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-214. Civil penalty in lieu of suspension. The beer board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty not to exceed one thousand five hundred dollars (\$1,500.00) for each offense of making or permitting to be made any sales to minors or a civil penalty not to exceed one thousand dollars (\$1,000.00) for any other offense. If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn.

Payment of the civil penalty in lieu of suspension by a permit holder shall be an admission by the holder of the violation so charged and shall be paid to the exclusion of any other penalty that the city may impose. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-215. Investigative powers. The board created by this chapter is vested with full and complete power to investigate charges against any permit

holder to appear and show cause why his permit should not be suspended or revoked for the violations of the provisions of this chapter or the provisions of the State Beer Act.

The recorder and the beer board are hereby authorized to subpoena persons and records and to administer oaths and hear testimony in the enforcement of this chapter. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-216. Show cause hearing; effect of revocation. Complaints filed against any permit holder for the purpose of suspending or revoking such permits shall be made in writing and filed with the board. When the board shall have reason to believe that any permit holder shall have violated any of the provisions of this chapter or any of the provisions of the State Beer Act, the board is authorized, in its discretion, to notify the permittee of said violations and to cite said permittee by written notice to appear and show cause why his permit should not be suspended or revoked for such violations. Said notice to appear and show cause shall state the alleged violations charged and shall be served upon permittee either by registered mail or by a member of the Police Department of the City of Spencer. The notice shall be served upon the permittee at least ten (10) days before the date of the hearing. At the hearing the board shall publicly hear the evidence both in support of the charge and on behalf of the permittee. After such hearing, if the charges are sustained by the evidence, the board may, in its discretion, suspend or revoke said permit. The action of the board in all such hearings shall be final, subject only to review by the court as provided in the State Beer Act. When a permit is revoked, no new permit shall be issued hereunder for the sale of beer at the same location, until the expiration of one (1) year from the date said revocation becomes final. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-217. Posting of permit. The permit required by this chapter shall be posted in a conspicuous place on the premises of the permit holder. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-218. Permits not transferable. Permits issued under the provisions of this chapter are not transferable, either as to location or to successor by purchase, otherwise of the business for which the permit was issued, and in either case, a new permit is required in the manner provided herein. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-219. Unlawful for manufacturer or distributor to sell to the unlicensed. No manufacturer or distributor of beer or other beverages of like alcoholic content shall sell to anyone except a licensed dealer holding a currently valid permit issued by the board. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-220. Sale to minors unlawful; employers regulated. No person engaging in the business regulated under this chapter shall make or permit to be made any sales or gifts to minors, or employ any person in the storage, sale, or distribution of any of such beverages except citizens of the United States. Neither the person engaging in such business nor any person employed by him shall be a person who has been convicted of any violation of the laws against possession, sale, manufacture and transportation of intoxicating liquor, or any crime involving moral turpitude within the last ten (10) years. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-221. Procurement of alcoholic beverages for minor a misdemeanor. It is hereby declared to be a misdemeanor, punishable as any other misdemeanor, for any adult person to buy or procure beer or any alcoholic beverage for or on behalf of any minor, and to deliver the same to said minor or any other minor. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-222. Misrepresentation of age by minor. It shall be unlawful, and a misdemeanor, for any person under eighteen (18) years of age knowingly to misrepresent his age in order to obtain or purchase beer or remain in a location where minors are not allowed. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-223. Days and hours of operation. No person shall sell or furnish, gratuitously or otherwise, to any person beer or other beverages of like alcoholic content, from 12:00 A.M. on Sunday morning until 12:00 P.M. (noon) on Sunday. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-224. Sale of beer on premises in direct connection with sleeping quarters prohibited. Except as hereinafter provided, no beer or other beverage of like alcoholic content shall be sold on premises in direct connection with which sleeping quarters are provided. Within the meaning of this section, sleeping quarters shall be considered as being in direct connection with the premises upon which the sale is made when the sleeping quarters are in the same room, or when any interior passageway, door, hall, stairway or other interior connection or a combination thereof, is available and is used in going to or from the place where such sale is made to such sleeping quarters. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-225. Employment or interest of city employees in beer places prohibited. It is hereby declared to be unlawful for any member of the Police or Fire Departments of the City of Spencer, or any other city employee, without a special permit from the board, to work at any place where beer is sold or dispensed under this chapter, or for any such city employee to have any interest,

direct or indirect, in such business. (Ord. #93-2, _____, as replaced by Ord. #2000-1, April 2000)

8-226. Advertising signs and displays on premises. No person authorized to sell beer or other beverages of like alcoholic content at any retail may erect or maintain any outside signs, advertising or displays located upon or attached to such buildings or premises for the purpose of advertising beer or beverages of like alcoholic content; provided, however, that each retail permittee is hereby allowed and permitted to erect and maintain one (1) sign on the outside of such building or premises, such sign bearing only the word "beer" and not exceeding the maximum dimension of thirty-six inches by eight inches (36" x 8"); provided further, however, that this provision shall not be construed to prohibit the erection and maintenance of advertising signs and displays placed or located within or inside the building and premises on which such beverages are sold at retail. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-227. Outside advertising. It shall be unlawful for any person, firm, or corporation to place or maintain any outdoor advertisement of beer or any other alcoholic beverages upon any sign, billboard, post, building, or other place within the corporate limits of the City of Spencer. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-228. Inspection and investigation; effect of refusal. The place of business and premises of the holder of any license for the distribution or sale of beverages regulated in this chapter shall be open to inspection and investigation by inspectors or police officers designated under § 8-208 hereof, at any time such place is open for business, and any refusal by the holder of such license, or by his agents, servants or employees to permit any such officer to enter upon, inspect and investigate any house, building or room wherein business authorized by any permit issued by the beer board created in § 8-202 is conducted, within the hours that such house, building or room is open for business, shall be unlawful and a misdemeanor.

The conviction of such holder, or of any agent, servant or employee of such holder, of a violation of the provisions of this section shall also be a sufficient ground, reason and cause for the revocation of the permit and license of such holder. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-229. Applicant must agree to comply with all applicable laws. Every applicant for a beer permit and license must agree in his application to comply with all laws of the State of Tennessee, the United States, and all ordinances of the City of Spencer regulating the handling of beer. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-230. Application to contain revocation agreement. All applications for a beer permit and license shall contain an agreement that the beer board may revoke or suspend the permit and license issued under the provisions of this chapter. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-231. Zoning. No beer permit or license shall be issued for the conduct of business at any point or place in the corporate limits of the City of Spencer unless such place is zoned for, or authorized to be used for, commercial or other purposes corresponding to the character of the business contemplated herein. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-232. Beer board to approve or disapprove permits; recorder to issue license. Beer permits shall be approved or disapproved by the beer board created in § 8-202, and if approved, a license shall be issued by the city recorder in a manner similar to the issuance of other licenses. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-233. Separate permit and license required for each location. A separate permit and license shall be obtained for each location at which and from which any applicant is to distribute or sell legalized beer or other beverages of like alcoholic content. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-234. Penalties. In addition to other penalties provided in this chapter, any person violating the provisions of this chapter shall be guilty of a misdemeanor, and may be tried in Van Buren County General Sessions and cited to the beer board and may have his permit suspended or revoked.

A citation before the beer board and suspension or revocation of permit in addition to trial and conviction of the misdemeanor shall not constitute double jeopardy. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-235. Possession of opened containers. In order that there may be no public consumption of beverages regulated hereby, and that such may not be consumed in automobiles or other conveyances, either public or private, it is hereby declared to be unlawful and a misdemeanor for any person to possess in any public place, or in any automobile or other conveyance upon the streets and alleys of the City of Spencer, any opened container of any such beverage. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-236. Littering with alcoholic beverage containers unlawful. It shall be unlawful for any person to place or abandon, upon the public streets, parks or ways within the City of Spencer, or upon private properties

immediately adjacent to and in clear view of any public park, street or way, any carton, can, bottle, cut or other container used for dispensing beverages regulated hereby. (Ord. #69-11, July 1969, as replaced by Ord. #2000-1, April 2000)

8-237. Issuance and retention of permits. In order to protect the general welfare and morals of the citizens of the City of Spencer, Tennessee, permits issued hereunder shall only be issued to grocery stores, convenience markets, supermarkets, and pharmacies, legitimately operated and properly licensed in accordance with any and all ordinances, statutes, laws and regulations of the City of Spencer, Van Buren County, the State of Tennessee, or the United States of America. In order to qualify for and to retain a license or permit for the sale of beer any business described herein above must further meet the following criteria:

(1) Have and maintain an inventory in the minimum amount of three thousand five hundred dollars (\$3,500.00) at wholesale value, exclusive of tobacco, gasoline, and beer.

(2) Be operated at all times in a lawful manner, with no loitering, on-premises consumption of alcohol, breaches of the peace, lewd or indecent behavior, altercations, carrying of weapons, other violations of any ordinance or statute, or public nuisances of any kind permitted on or about the premises.

(3) Meet at the time of the application and at all times thereafter all of the criteria set out in the application and the other ordinances of this section. (Ord. #93-2, __, as replaced by Ord. #2000-1, April 2000)

8-238. Confiscation and sale of unlicensed beer. Whenever any person shall be found in possession of more than one (1) case of beer without a license, the law enforcement officers of the city are hereby empowered to confiscate all of such beer in possession of such party except one (1) case, and within a reasonable time shall advertise such beer for sale by posted notice for a period of ten (10) days at the city hall. Such notice shall contain the amount of beer sold, the terms of the sale, the day and hour of the sale and the place of the sale. At the time so advertised in the posted notice, the city recorder shall auction such beer at the place and time set out in the notice, to be sold to the highest and best bidder. In no event shall such beer be sold to any party who does not possess the necessary permit and license. All money derived from such sale shall be placed in the general fund of the city, to be used as such moneys are used in the budget. (Ord. #93-2, __, as replaced by Ord. #2000-1, April 2000)

8-239. Allowing disorderly conduct. It shall be unlawful for the permittee hereunder, his agent or employee, to cause or allow on the premises any disorderly conduct. (as added by Ord. #2000-1, April 2000)

8-240. Distance requirements. One thousand feet (1,000') from any school or church. Five hundred feet (500') from places of public gathering such as but not limited to: parks, fair grounds, community cemeteries, etc. To be measured in a straight line method from front entrance to front entrance. (as added by Ord. #2000-1, April 2000)