

March 13, 2014

City of Minor Hill, Tennessee
Mr. Bernard Dalton
Alderman
13200 Minor Hill Highway
Minor Hill, Tennessee 38473

VIA Electronic Mail

Dear Mr. Dalton:

Thank you for your inquiry regarding the statutory exception set forth in TCA § 57-3-106(b)(1) regarding the sale of alcoholic beverages in certain counties. As you are aware, Minor Hill is ineligible by statute at this time to advance the prospect of allowing alcoholic beverage sales in the city limits.

The four excepted counties based on population at the 1970 federal census or any subsequent federal census, rendering moot the threshold requirements for a city to have been incorporated for five or more years with a population of 925 or more people to conduct a referendum authorizing the sale of alcoholic beverages, are Benton (12,100 - 12,200), Henry (23,500 - 24,000), Madison (65,000 - 70,000), and Humphreys (13,500 - 13,600). In Humphreys County, a city must also have a 1970 population of 1,230 - 1,250 to be afforded this exception.

As set forth in in my January 8, 2014 letter to City Recorder Thornton, Tennessee Code Annotated Title 7, Chapter 3 authorizes cities to adopt regulations for package stores and the sale of liquor-by-the-drink provided that sales are approved by referendum. However, this option is only available to cities that have been incorporated for five or more years with a population of 925 or more people. There is an exception to this threshold for four counties; as noted above, Giles County is not among them.

With a 2010 certified population of 567, Minor Hill fails to meet the population threshold and is thus not eligible for such sales to be placed before the public for a referendum vote at this time.

The Board of Mayor and Aldermen may want to explore with area legislators the introduction of legislation seeking amendment of Tennessee Code to make Minor Hill eligible for alcoholic beverage sales in the future. Your legislators will be able to cause the proper bill to be drafted for introduction if this option is of interest to the board.

Very truly yours,



Jeffrey J. Broughton
Municipal Management Consultant