

First Reading: _____
Second Reading: _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 5, SECTION 5-82, RELATIVE TO THE BEER BOARD OF CHATTANOOGA AND GROUNDS FOR REVOCATION OR SUSPENSION OF PERMIT.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Part II, Chattanooga City Code, Chapter 5, Article III, Section 82(a), be and is hereby amended by deleting the subsection in its entirety and substituting in lieu thereof the following:

- (a) The beer board shall have the power to revoke or suspend, and shall be charged with the duty of revoking or suspending, any permits issued by it under this division, upon notice to the permittee and a hearing thereon, for any violation of any provision of federal or state law regulating the sale, storage and transportation of alcoholic beverages or for any violation of any provision of this Code or any other ordinance of the city or when the permittee:
- (1) Operates a disorderly place; or
 - (2) Allows gambling on the premises; or
 - (3) Allows fighting or boisterous or disorderly conduct on the premises; or
 - (4) Has been convicted by final judgment of a court of competent jurisdiction of a crime involving moral turpitude; or
 - (5) Allows minors to congregate about the premises; or
 - (6) Sells or transfers the equipment or assets of the business authorized by his permit to another for the purpose of conducting the business at the same location; or

- (7) Has made a false statement of a material fact in any application or notice to the board; or
- (8) Sells, furnishes, dispenses or allows to be used or consumed, any beer or other alcoholic beverages to any person under the age of twenty one (21) years; except to the extent lawful under section 5 48(b), (c) or (d) of this Code; or
- (9) Denies access to any portion of the premises at which the sale of beer is permitted, whether or not that portion of the premises is used for the sale of beer, to any policeman or inspector; or
- (10) Allows a minor, as such term is defined in Tennessee Code Annotated, section 1-3-105(16), in his employ to sell beer; or
- (11) Has been convicted by final judgment of any court of competent jurisdiction of any crime or misdemeanor involving the sale or consumption of beer or alcoholic beverages; or
- (12) Allows any violation of any provision of this article to occur on the licensed premises; or
- (13) Allows any violations of the rules and regulations of the health department; or
- (14) Consumes or permits an employee to consume any beer or any alcoholic beverage while on the premises, or to be intoxicated while on the premises; or
- (15) Allows litter or debris to accumulate in or around the premises, including the sidewalks and streets adjacent thereto; and or fails to provide and maintain adequate solid waste containers; or
- (16) Allows anyone to leave the permitted premises with an open container (as defined in Sec. 5-87(a) of this Code) of beer or alcoholic beverage; or
- (17) The beer board may also, in its discretion, suspend, revoke or impose a civil penalty for due cause not specified herein.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect immediately upon passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

KJR/mms