

1ST READING

8-16-11

2ND READING

8-23-11

ORDINANCE NO. 12541

AN ORDINANCE TO AMEND PART II, CHATTANOOGA CITY CODE, CHAPTER 5, ARTICLE III, SECTIONS 71 AND 82, RELATIVE TO ALCOHOLIC BEVERAGES.

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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 71 is amended by adding the following new appropriately designated Subsection:

- (h) *Caterer* means a business engaged in offering food and beverage service for a fee at various locations, which (1) operates a permanent catering hall on an exclusive basis; (2) has a complete and adequate commercial kitchen facility; and (3) is licensed as a caterer by the Tennessee Alcoholic Beverage Commission Tennessee Department of Health.
  - (i) A caterer licensed to operate in the City of Chattanooga shall obtain a beer permit as contemplated by this Chapter. Provided, however, the distance requirements provided herein shall not be applicable to a catered event by the holder of valid caterer's permit issued pursuant to this Chapter.
- (2) In addition to the other requirements of this Chapter:
- (a) A beer permit shall not be issued to a caterer permit that does not hold a valid caterer's license from the State of Tennessee's Alcoholic Beverage Commission for sale and consumption of wine and other alcoholic beverages pursuant to Chapter 4 of Title 57 of the Tennessee Code Annotated. Should the holder of a caterer's permit cease to hold a valid caterer's license from the state Alcoholic Beverage Commission, such caterer's beer permit shall be automatically deemed revoked by the Beer Board.

- (b) A beer permit shall not be issued to a caterer that does not hold a valid retailer's "on-sale" permit for its permanent catering hall issued pursuant to the provisions and requirements of this subsection, including the location restrictions specified in Section 5-75(b).
  - (c) All caterers with a beer permit shall give advanced notice to the Beer Board or Chattanooga Police Department of each site or locations where beer will be sold and consumed. Such notice shall include, but not be limited to, the date, time, and location of the event five (5) days prior to the date of the scheduled event.
  - (d) A beer permit issued to a caterer shall not be valid for the sale and consumption of beer on any premises for which a retailer's "on-sale" permit has been revoked within the past twelve month period, nor shall a caterer use a beer permit for the sale and consumption of beer on any premises owned or leased by a person, firm, corporation, joint-stock company, syndicate, or association having at least a five (5%) percent ownership interest in the establishment that has had a retailer's "on-sale" permit revoked within the past twelve (12) month period.
- (3) A caterer's permit is valid for each catering site, provided that the notice requirements of Subsection (c)(3) are met.

SECTION 2. 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)(16) is amended by the deleting the subsection in its entirety and inserting in lieu thereof the following:

The beer board may also, in its discretion, suspend, revoke or impose a civil penalty for due cause not specified herein.

PASSED on Second and Final Reading

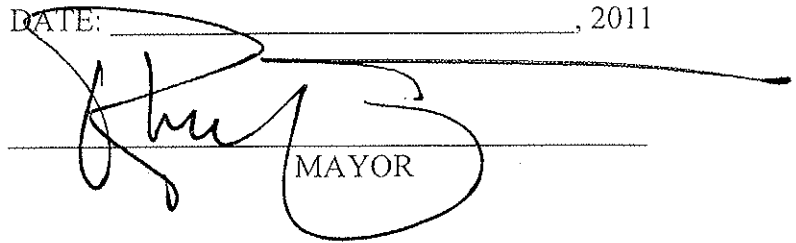
August 23, 2011.



CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_, 2011



MAYOR

KOF/mms