

Ordinance No. 1022

AN ORDINANCE TO AMEND TITLE 8, ALCOHOLIC BEVERAGES, CHAPTER 2, BEER, SECTIONS 8-200 AND 8-206.

Whereas, the distance requirements of Title 8, Chapter 2, §8-206 of the Sweetwater Municipal Code, for the sale of beer within the geographical boundaries of the City of Sweetwater have become incompatible with business development in the City, particularly food and beverage establishments in downtown Sweetwater; and

Whereas, the definition of "beer" in Title 8, Chapter 2, §8-200 of the Sweetwater Municipal Code, contains a typographical error and a less than specific reference to the statutory definition; now

Therefore, Be It Ordained by the Mayor and Board of Commissioners of the City of Sweetwater, Tennessee, that:

SECTION Title 8, Chapter 2, §8-206 of the Sweetwater Municipal Code is
ONE: hereby deleted *in toto* and replaced by the following section in its place and stead.

8-206. Restriction as to Location of Beer Places.

(a) **Minimum Distance.** In no event will a permit be issued authorizing the storage, sale or manufacture of beer for on-premise consumption or for off-premise consumption/package sales within 100 feet from a building used (i) as a church, provided a church service is held at the premises at least on one day of each week; or (ii) as a public or private school, licensed and accredited by the State of Tennessee to provide and is providing a pre-kindergarten, kindergarten, elementary or secondary education to students at the building, except such designation shall not include home schools conducted at a residence.

(b) *Measurement.* The distances herein set forth shall be measured in a straight line between the nearest corner of the building proposed to sell, store or manufacture beer and the nearest corner of the building from which there must be a minimum distance.

SECTION *Beer.* Beer, ale or other malt beverages, or any other beverage having
TWO: an alcoholic content of not more than eight percent by weight, except wine as defined in *Tenn. Code Ann.* §57-3-101; provided, however, that no more than 49 percent (49%) of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol. (If the statutory definition of "beer" in *Tenn. Code Ann.* §57-5-101(b) changes, the statutory definition shall govern.)

SECTION *Effective Date.* This ordinance shall take effect from and after its
THREE: passage, the welfare of the City requiring it.

Passed on First Reading: May 1, 2023
Passed on Second Reading: June 5, 2023

ATTEST:


JESSICA MORGAN
City Recorder

DOYLE LOWE, Mayor