

ORDINANCE NO. 168

**AN ORDINANCE AMENDING ORDINANCE NUMBER 86
OF THE CITY OF TONTITOWN, ARKANSAS, DECLARING
AN EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, Ordinance Number 86 of the City of Tontitown was passed on April 3, 1990, which, among other things, set the hours during which a person, firm, club, either public or private, corporation or association could sell liquor, beer, and/or wines for consumption on the licensed premises; and

WHEREAS, said Ordinance as described above did not provide for the sale of any liquor, beer, and/or wines on Sundays; and

WHEREAS, on November 3rd, 1998, an election was held, and on the ballot appeared a proposition to allow the sale of beer and wine for on-premises consumption on Sundays to qualified hotels and restaurants in the City of Tontitown, Arkansas, as authorized by law, which proposition passed; and

WHEREAS, Ordinance Number 86 has not been amended to reflect the results of the above-described election, and as such, may create confusion as to the allowable hours for the sale of beer and wine for on-premises consumption on Sundays; and

WHEREAS, Ordinance Number 86 contains a typographical error in two places referring to 12 p.m. Saturday when the intent was to read 12 a.m. Sunday;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS.

1. That Ordinance Number 86 be amended to reflect the results of the November 3rd, 1998 election whereby the voters approved the sale of beer and wine for on-premises consumption on a Sunday in qualified hotels and restaurants in Tontitown, as authorized by law, and to correct a typographical error.

2. That the amended portion of Ordinance Number 86 shall read as follows:

Sales For On-Premises Consumption. No person, firm, club, either public or private, corporation or association doing business in the city by virtue of a permit issued or by virtue of a Charter from the State of Arkansas permitting the sale of liquor, beer and/or wines for consumption on the licensed premises, shall permit to be consumed or sold any liquor, beer or wines on the licensed premises between the following hours of each day of each week as follows: between the hours of 10 p.m. Monday and 7 a.m. Tuesday; between the hours of 10 p.m. Tuesday and 7 a.m. Wednesday; between the hours of 10 p.m. Wednesday and 7 a.m. Thursday; between the hours of 10 p.m. Thursday and 7 a.m. Friday; between the hours of 10 p.m. Friday and 7 a.m. Saturday; between the hours of 12 a.m. Sunday and 11 a.m. Sunday; and between the hours of 10 p.m. Sunday and 7 a.m. Monday.

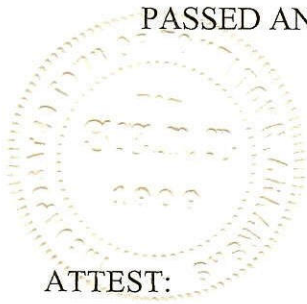
3. In addition to the above, a portion of Ordinance 86 entitled Package Sales For Off-Premises Consumption should be corrected to read "12 a.m. Sunday" instead of "12 p.m. Saturday".

4. That the amendment of Ordinance Number 86 as set forth herein shall not act to invalidate, modify, or amend any other provision of Ordinance 86 other than as set forth in this amendment.

5. Emergency Clause: It is hereby declared that an emergency exists, and this

Ordinance being necessary for the preservation of the health, safety, and welfare of the citizens of Tontitown, Arkansas shall be effective immediately upon its passage, approval, and publication.

PASSED AND APPROVED this 1st day of April, 2003.





Daniel R. Watson, Mayor

ATTEST:



Frances Franco, City Recorder/Treasurer