

Chapter 3

ALCOHOLIC BEVERAGES^{??}

Sec. 3-1. Penalty.

Unless stated otherwise, violations of this chapter shall be punished as provided in section 1-8.

Sec. 3-2. Permit fee imposed.

Each holder of a Texas Alcoholic Beverage Commission issued permit(s) or license(s) located within the corporate limits of the city shall be required to pay a bi-annual fee for the privilege of operating under the same at a rate of one-half of the bi-annual state fee for each permit or license issued for such premises located within the city, unless statutorily exempt, as provided in V.T.C.A., Alcoholic Beverage Code and the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, all of which are adopted hereby and made a part of this chapter for all purposes. (Code 1963, Ch. 3, art. 19, § 1 [Ord. No. 86-71, § 1, 9-23-86]; Ord. No. 10-082, § I, 12-28-10)

State law reference(s)--State law reference(s)--Permit fee authorized, V.T.C.A., Alcoholic Beverage Code § 11.38; License fee authorized, V.T.C.A., Alcoholic Beverage Code § 61.36.

Sec. 3-3. Payment of fee.

The fee provided for in section 3-2 is due and payable to the city not later than thirty (30) days following the issuance of the state permit or license or following renewal in each applicable subsequent year wherein the permit must be renewed with the state. Holders of permits or licenses existing as of the date of the ordinance from which this section is derived shall pay, within thirty (30) days from the effective date of the same, a pro-rated fee equivalent to one-half of the bi-annual state fee multiplied by the percentage of remaining months left before the permit or license needs to be renewed with the state and shall pay thereafter as provided for in this section. However, the portion of the fee allowed to be assessed under the Texas Alcoholic Beverage Code for the holder of a mixed beverage or late hours permit is due and payable to the city the day immediately following the day of the third anniversary of the initially issued mixed beverage permit and thereafter not later than thirty (30) days after renewal in each applicable subsequent year wherein the permit must be renewed with the state. The City Secretary shall be empowered to administer and collect the fees imposed.

Sec. 3-4. Late Hours.

Pursuant to the authority granted by Chapters 33 and 105 of the Texas Alcoholic Beverage Code, as amended, the city does hereby adopt the extended hours prescribed for the sale or offering of any mixed beverage, beer, wine and other alcoholic beverage by a holder of a Texas Alcoholic Beverage Commission late hours permit or license. (Code 1963, Ch. 3, art. 19, § 2 [Ord. No. 86-71, § 1, 9-23-86]; Ord. No. 10-082, § I, 12-28-10; Ord. No. 14-006, § 3-3, 3-4, 1-28-14)

¹**Cross reference**—Health and human services, Ch. 13; licenses, permits and miscellaneous business regulations, Ch. 15; alcoholic beverage zoning districts, §§ 31-351 et seq., 31-366 et seq., 31-381 et seq.