

## **ORDINANCE 2024 -**

### **AN ORDINANCE TO AMEND THE MT. JULIET CITY CODE CHAPTER 4, ALCOHOLIC BEVERAGE, ARTICLE III, SECTION 4-61 (a) LOCATION RESTRICTIONS FOR ON-PREMISE BEER PERMITS AND MEASUREMENT OF DISTANCE FOR ON-PREMISE AND OFF-PREMISE BEER PERMITS**

**Whereas,** the Board of Commissioners of the City of Mt. Juliet desires to amend the Mt. Juliet City Code, Chapter 4, Alcoholic Beverages, Article III, Sec. 4-61 (a) Location Restrictions for On-Premise Beer Permits; and

**Whereas,** the distance requirement for an On-Premise Beer Permit is currently 500 feet from a school, church, house of worship or municipal park is amended to 100 feet; and

**Whereas,** the measurement of distance is currently “straight line” from a school, church, house of worship or municipal park is changed to “driving distance or walking distance” from a school, church, house of worship or municipal park; and

**Whereas,** this amendment will also allow an establishment requesting an On-Premise Beer Permit to be consistent with the distance requirement of an Off-Premise Beer Permit of 100 feet.

**Now, therefore, be it ORDAINED** by the City of Mt Juliet Board of Commissioners the City of Mt. Juliet City Code is amended as follows:

**Section 1.** The Mt. Juliet City Code, Chapter 4, Alcoholic Beverages, Article III, Sec. 4-61 (a) Location restriction is amended for On-Premise Beer Permits to have a distance requirement of 100 feet from a school, church, house of worship or municipal park.

**Section 2.** The Mt. Juliet City Code, Chapter 4, Alcoholic Beverage, Article III, Sec. 4-61 (a) is amended to read the measurement distance will be measured as the drive able or walkable distance from a school, church, house of worship or municipal park for both On-Premise and Off-Premise Beer Permits.

### **BE IT FURTHER ORDAINED**

**Section 3.** In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the conflicting ordinance is repealed to the extent of the conflict but no further.

**Section 4.** If any section, clause, provision or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this ordinance.

**Section 5.** That this ordinance shall take effect at the earliest date allowed by law, the public welfare requiring it.

PASSED:

FIRST READING:  
SECOND READING:

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James Maness, Mayor

ATTEST:

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Sheila S. Lockett, MMC  
City Recorder

APPROVED AS TO FORM:

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Kenny Martin, City Manager

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L. Gino Marchetti, Jr.  
City Attorney