

ORDINANCE NO 2019-05

**AN ORDINANCE TO AMEND TITLE 8, CHAPTER 2, SECTION 8-209 OF THE MARYVILLE MUNICIPAL CODE RELATIVE TO BEER PERMITS TO ADD TWO NEW CLASSIFICATIONS OF ON-PREMISE BEER PERMITS**

**WHEREAS**, the City Council desires to amend Title 8, Chapter 2, Section 8-209 of the Maryville Municipal Code to create a new classification of on-premise beer permit to be called a movie theatre beer permit and to add a new subsection to be numbered 8-209(7) for this type of permit.

**WHEREAS**, the City Council desires to amend Title 8, Chapter 2, Section 8-209 of the Maryville Municipal Code to create a new classification of on-premise beer permit to be called an event center beer permit and to add a new subsection to be numbered 8-209(8) for this type of permit.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE**, as follows:

**SECTION 1.** Title 8, Chapter 2, Section 8-209 of the Maryville Municipal Code is amended by adding the following language to become a new subsection numbered 8-209(7):

8-210 (7). **On-premise where beer is sold by a movie theater.** Notwithstanding any other provision of this Title to the contrary, beer may be sold or given away for on-premise consumption at a movie theater but only as set forth herein. A "movie theater" shall mean an establishment that meets the following requirements:

(a) The movie theatre must be located in a building which meets all of the requirements of the City of Maryville's laws and ordinances, including, without limitation, the requirements of the City's building codes, fire codes, and the zoning ordinances of the City.

(b) The movie theatre must be located in permanent building of at least seven thousand square feet (7000 sq. ft.) with a seating capacity of at least two hundred (200) people and at least one auditorium with a full sized movie screen.

(c) The movie theatre must be a licensed business in which motion pictures are exhibited to the public regularly for a charge.

(d) The movie theater shall regularly serve prepared food to patrons; and

(e) The food sales from the movie theater in any given calendar year shall be equal to or greater than the beer sales in that same calendar year, based on dollar amount.

The permit holder shall periodically visually monitor all auditoriums in which beer sales are permitted, and each container of beer shall be distinct from any other container used to serve nonalcoholic beverages. Prior to making a sale of any beer under a movie theatre beer permit, a valid, government-issued document, such as a driver license, or other form of identification deemed acceptable to permit holder, shall be produced to the permit holder. The document must include a photograph and date of birth of the adult consumer attempting to make the beer purchase.

**SECTION 2:** Title 8, Chapter 2, Section 8-209 of the Maryville Municipal Code is amended by adding the following language to become a new subsection numbered 8-209(8):

**8-209(8) On-premise where beer is sold at an event center.** Notwithstanding any other provision of this Title to the contrary, beer may be sold or given away for on-premise consumption at an event center only as set forth herein. An "event center" shall mean an establishment that meets the following requirements:

(a) The event center must be located in a building or buildings which meet all of the requirements of the City of Maryville's laws and ordinances, including, without limitation, the requirements of the City's building codes, fire codes, and the zoning ordinances of the City.

(b) The event center must be located in a permanent building or buildings, which when combined as a whole, contain at least four thousand square feet (4000 sq. ft.) of event center space and hold a minimum of 149 legal occupants.

(c) The event center must be a licensed business and commercial facility in which events such as wedding receptions, fund raising galas, corporate parties and similar events are hosted regularly for a charge. "Regularly" shall mean at least one event per month on average takes place at the event center.

(d) The event center shall regularly serve prepared food to patrons, either through use of its own kitchen facilities or through a caterer.

**SECTION 3.** This ordinance shall take effect from and after its final passage, the public welfare requiring it.

Adopted this the 2<sup>nd</sup> day of April, 2019.

Thomas W. Taylor  
Mayor

APPROVED AS TO FORM:

[Signature]  
City Attorney

ATTEST:

Sherrri Phillips  
City Recorder

Passed 1<sup>st</sup> reading on this the 5<sup>th</sup> day of March 2019 Sherrri Phillips  
City Recorder

Passed 2<sup>nd</sup> reading on this the 2<sup>nd</sup> day of April 2019 Sherrri Phillips  
City Recorder