

City of Fayetteville Staff Review Form

2020-0240

Legistar File ID

4/7/2020

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Blake Pennington

3/12/2020

CITY ATTORNEY (021)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

AN ORDINANCE TO AMEND §111.30 RETAIL IN CHAPTER 111: ALCOHOLIC BEVERAGES OF THE CITY CODE TO PROVIDE FOR THE ISSUANCE OF PERMITS THAT ALIGN WITH ARKANSAS STATUTES AND ALCOHOLIC BEVERAGE CONTROL ADMINISTRATIVE REGULATIONS

Budget Impact:

_____ Account Number		_____ Fund	
_____ Project Number		_____ Project Title	
Budgeted Item?	<u>NA</u>	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
Does item have a cost?	<u>NA</u>	Item Cost	
Budget Adjustment Attached?	<u>NA</u>	Budget Adjustment	
		Remaining Budget	\$ -

Purchase Order Number: _____

Previous Ordinance or Resolution # _____ V20180321

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Jodi Batker
Paralegal

TO: **Mayor Jordan**
City Council

FROM: **Blake Pennington**, Assistant City Attorney

A blue ink handwritten signature, likely belonging to Blake Pennington, written over the printed name.

DATE: **March 12, 2020**

RE: **Alcohol Permits**

The City Code currently authorizes fourteen (14) types of permits for the manufacture and sale of alcoholic beverages in the City of Fayetteville. This limitation made sense when the state's alcohol laws were extremely restrictive but now the state has broadened the number and types of permits issued by the Alcoholic Beverage Control Division.

The current Alcoholic Beverage Control Division regulations list forty-five (45) different permits that can be issued to the manufacturers, distributors, and sellers of alcoholic beverages. This means some of our local establishments have received state permits that do not fit perfectly within the permitting scheme we have currently enacted and the Accounting Division is often forced to issue a City permit that most closely aligns with the operations of the establishment.

Rather than constantly amending the City Code to reflect the changes made to the state's permit types, our office recommends adding a new § 111.30(J), which will allow the Accounting Division to issue a permit that aligns with the state permit rather than attempting to conform an establishment to the current limitations of our City Code.