

ORDINANCE NO. 1097

AN ORDINANCE AMENDING CHAPTERS 7.32 and 7.40 EUREKA SPRINGS MUNICIPAL CODE, TO MAKE IT CLEAR THAT PERSONS REQUIRED TO OBTAIN LICENSES THERE- UNDER WHO ARE ALSO ENGAGED IN THE SALE OF BEER MUST, IN ADDITION, OBTAIN A LICENSE PURSUANT TO CHAPTER 7.36, EUREKA SPRINGS MUNICIPAL CODE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS:

Section 1. Sections 7.32.01 and 7.40.01, Eureka Springs Municipal Code, amended.

Sections 7.32.01 and 7.40.01, Eureka Springs Municipal Code are each hereby amended by adding the following parenthetical sentence to the respective first paragraphs thereof:

(Any person also engaged in the business of transporting, storing, selling, distributing and/or manufacturing beer and light wines having an alcoholic content of not more than five per cent by weight must, in addition to obtaining the license required by this Chapter, also obtain the license required by Chapter 7.36, Eureka Springs Municipal Code.)

Section 2. Emergency declared

The City Council has found that confusion may exist with respect to whether a person required to obtain a license pursuant to either Chapter 7.32 or Chapter 7.40, Eureka Springs Municipal Code, who is also engaged in the business of transporting, storing, selling, distributing and/or manufacturing beer and light wines having an alcoholic content of not more than five per cent by weight, is also required to obtain a license pursuant to Chapter 7.36, Eureka Springs Municipal Code. The City Council has further found that it has always been the legislative intent to require such dual licensing wherever applicable under the circumstances, but that the aforesaid confusion may have resulted in the inconsistent enforcement of said legislative intent and lost revenues for the City. Therefore, an emergency is hereby declared to exist, and this approval and publication according to law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, WITH SECTION 2 BEING PASSED SEPARATELY, ON THIS 1ST DAY OF AUGUST, 1980.

ATTEST:

APPROVED:

John J. (Jack) Muzio, Jr.
John J. (Jack) Muzio, Jr.
Clerk/Treasurer

Marcile Davis
Marcile Davis, Mayor

(SEAL)

