

ORDINANCE NO. 1575

**AN ORDINANCE AMENDING TITLE SEVEN, CHAPTER 7.36,
PERMITS FOR THE SALE OF LIGHT WINES AND BEER, OF THE
MUNICIPAL CODE**

WHEREAS, Section 7.36.08 governing the sale of Light Wines and Beers currently states: "It is hereby made a misdemeanor for any person to sell beer and/or wine or to offer for sale such after the hour of two o'clock a.m. or before the hour of eight o'clock a.m. except on Saturdays when said sales must cease by twelve o'clock midnight."; and,

WHEREAS, Section 7.40.06 of the Municipal Code governing the hours of sale for mixed-drink permits allows said sales until the hour of two o'clock a.m. on Sunday; and,

WHEREAS, Arkansas Code Annotated 3-9-233, Closing Hours, permits a city in which hotel and restaurant licensed premises are located to fix closing hours and states that "under no circumstances may any licensed premises remain open more than two (2) hours after 12:00 midnight on Saturday night."; and,

WHEREAS, the hotels and restaurants of Eureka Springs recognize the need to serve beer and/or light wine until the hour of two o'clock a.m. on Sunday as mixed drinks are currently permitted to be served until then.

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

Section One: Amendment to Section 7.36.08

The City of Eureka Springs, Arkansas, hereby deletes the following statement, governing the sale of light wines and beers, from Section 7.36.08 of the Municipal Code: "except on Saturdays when said sales must cease by twelve o'clock midnight."

Section Two: Repeal Clause

All Ordinances or Resolutions, and parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.

Section Three: Emergency Clause

The City Council of the City of Eureka Springs, Arkansas, hereby determines and declares that an emergency exists because it is imperative that State and City laws governing the sale of light wines and beers be enforced. In order to facilitate enforcement, the above amendment should be effective as soon as possible.