

ORDINANCE NO. 2022-367

Ordinance amending Chapter 6, Alcoholic Beverages, of the Code of Ordinances of the City of Dothan, Article III, Entertainment Districts, Section 6-103 - Rules.

BE IT ORDAINED by the Board of Commissioners of the City of Dothan, Alabama as follows:

Section 1. That Chapter 6, Alcoholic Beverages, Section 6-103 is hereby deleted in its entirety and replaced with the following:

- (a) Within the entertainment district as herein defined, the Alabama Alcoholic Beverage Control Board may issue an entertainment district designation for any on-premises retail alcohol license which allows the licensee to sell alcoholic beverages for consumption on the licensed premises.
- (b) Public possession and consumption of alcoholic beverages off-premises in the entertainment district shall be allowed Monday through Sunday 11:00 AM to midnight or as otherwise approved by the City Commission.
 - (1) Patrons shall not be permitted to enter a licensed premise with open or closed containers of alcoholic beverages acquired elsewhere.
 - (2) All alcoholic beverages sold for consumption outside the licensed premises shall be contained in a shatter resistant container such as a plastic cup with the seller's logo printed on the cup and contain no more than 16 fluid ounces.
 - (3) Patrons may not exit, and licensees have an affirmative duty to prevent the removal of alcoholic beverages from the licensed premises in other than in an approved container.
 - (4) Pedestrians in the district shall not be permitted to possess or consume alcoholic beverages within the confines of the district as defined in section 6-102 above that are acquired outside the confines of the district.
 - (5) No person or motorist shall possess alcoholic beverages in an open container in the passenger area of a motor vehicle on a public street in the district in violation of § 32-5A-330, Code of Alabama.
 - (6) No alcoholic beverages shall be sold at a licensed premise within the district beyond the hours as specified by the Alabama Beverage Control Board in Title 28, in sections 6-5 and 6-6 or as hereafter amended.
- (c) A licensee shall comply with all laws, rules, and regulations which govern its license type except as specifically provided in this article.
- (d) Nothing in this section shall be construed to allow the sale and consumption of alcohol in the entertainment district beyond the hours specified by the Alabama Beverage Control Board in Title 28, in sections 6-5 and 6-6 or as hereafter amended or the sale of alcohol to minors as specified by the Alabama Beverage Control Board in Title 28 or as hereafter amended.

(e) No licensee shall offer for sale alcoholic beverages from any temporary location (i.e., street vendor) within one hundred (100) feet of another licensee.

Section 2. Should any provision or section of this Ordinance be declared invalid, such declaration shall not affect any other provisions or sections of this Ordinance, which provisions or sections shall remain in full force and effect.

Section 3. After publication as required by law, this ordinance shall become effective immediately.

Section 4. That the City Clerk of the City of Dothan is hereby ordered and directed to cause this ordinance to be published.

Section 5. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

PASSED, ADOPTED, AND APPROVED ON DECEMBER 6, 2022.

ATTEST:

Wendy Shiver
Wendy Shiver, City Clerk

M. McKin

Mayor

[Signature]

Associate Commissioner District 1

[Signature]

Associate Commissioner District 2

[Signature]

Associate Commissioner District 3

[Signature] ^{— Nay}

Associate Commissioner District 4

[Signature]

Associate Commissioner District 5

[Signature]

Associate Commissioner District 6

BOARD OF CITY COMMISSIONERS

I hereby certify that the above Ordinance was published in THE DOTHAN EAGLE, a newspaper of general circulation in the City of Dothan, Alabama, on December 8, 2022.

Wendy Shiver
Wendy Shiver
City Clerk