

ORDINANCE NUMBER 2002-02

AN ORDINANCE AMENDING SECTIONS 15 AND 15a OF
ORDINANCE 1991-02, OF THE CITY OF STARKVILLE,
OKTIBBEHA COUNTY, MISSISSIPPI, AS AMENDED, WHICH
DEFINES DISTANCES FROM CHURCHES AND SCHOOLS

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville believe that it is in the best interest of the City to amend its City Ordinance Number 1991-02 (commonly known as the "Beer Ordinance), Sections 15 and 15a, which define the territory for the sale of beer and light wine for on-premises and off-premises consumption; and

WHEREAS, the Mayor and Board of Aldermen of the City of Starkville believe that the proposed amendment is necessary to clarify existing policy for measuring and determining the distances from churches and schools to licensed establishments for on-premises and off-premises consumption of beer and light wine.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Starkville that Sections 15 and 15a of Ordinance Number 1991-02 be revised and amended as follows:

Section 15: Territory where sale is prohibited.

(a) **On-premises consumption.** No beer or light wine shall be sold for on-premises consumption within two-hundred and fifty feet of the property line of any church or school property functioning as a church, school or child care facility and adjacent parking. This distance shall be measured by proceeding on foot from the nearest point of the building where beer or light wine is sold to any church or school property functioning as a church, school, child care facility and parking lots adjacent to these primary facilities.

(b) **Off-premises Consumption.** No beer or light wine shall be sold for off-premises consumption within one-hundred feet of the property fine of any church or school property functioning as a church, school, or child care facility and parking lots adjacent to these primary facilities.. This distance shall be measured by the same criteria as listed in subsection(a) above.

This action shall replace the prior Sections 15 and 15a of Beer Ordinance 1991-02, and shall be in full force and effect thirty (30) days after its passage.

The Clerk is directed to cause this Ordinance to be published one time in the Starkville Daily News and to obtain proof of publication thereof.

Alderman Lee Beck offered a motion to adopt the foregoing amendment to the Ordinance. Said motion was duly seconded by **Alderman Vic Zitta**. The aforesaid Ordinance was put to a roll call vote with the Aldermen voting as follows:

Alderman Frank M. Davis, Sr.
Alderman P.C. McLaurin Jr.
Alderman Lee Beck
Alderman Virgil Bolin
Alderman Roy A'. Perkins
Alderman Vic Zitta

Voted: Yea
Voted: Yea
Voted: Yea
Voted: Absent
Voted: Nay
Voted: Nay

ORDAINED AND ADOPTED, this the 7th day of May, A.D., 2002 at the Regular Meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi.

MACK RUTLEDGE, Mayor
City of Starkville, Mississippi

VIVIAN E. COLLIER, Clerk
City of Starkville, Mississippi

(S E A L)