

**NORTHPORT SPECIAL CITY COUNCIL MEETING
TUESDAY, AUGUST 30, 2011
12:00 P.M.**

- 1. CALL TO ORDER - President**
- 2. ROLL CALL – City Administrator**
- 3. NEW BUSINESS**
 - a. Resolutions of a Temporary Nature**
 1. Resolution Canvassing the Returns for the 2011 Special Referendum – Mr. Collins
 - b. Ordinances and Resolution of a Permanent Nature**
 1. First Reading, Ordinance Amending Section 10-26 of the Municipal Code – Mr. Davis
- 4. ADJOURNMENT**

RESOLUTION 11-

**RESOLUTION CANVASSING THE RETURNS OF THE
AUGUST 23, 2011 REFERENDUM ELECTION**

WHEREAS, a special referendum on Sunday Alcohol Sales for the City of Northport was duly and legally held on August 23, 2011, as provided by law; and

WHEREAS, the municipal governing body of the City of Northport met on this 30th day of August, 2011, a quorum of the members thereof being present at 12:00 p.m., and has canvassed the returns and has ascertained and determined the number of votes received for and against Sunday Alcohol Sales in the City of Northport; and,

WHEREAS, the said municipal governing body has ascertained and determined the results of said election as follows:

	Yes	No
District 1	209	239
District 2	131	47
District 3	225	152
District 4	419	295
District 5	320	310
Absentee	8	11
Sub Total	1312	1054
Provisional		
TOTAL		

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Northport, Alabama, as follows:

1. That a majority of votes were cast in favor the legal sale of alcoholic beverages within the City of Northport, on Sunday between 12:00 p.m. (noon) and 9:30 p.m., and on those Sundays on which New Year's Eve (December 31), after 12:00 p.m. (noon).

ADOPTED this the 30th day of August, 2011

**CITY COUNCIL OF THE CITY OF
NORTHPORT, ALABAMA**

By: _____
William Tunnell, Its President

ATTEST:

Scott Collins, City Administrator

APPROVED THIS THE 30th DAY OF AUGUST, 2011

**DEPARTMENTAL SUMMARY OF REQUESTED ACTION
THE NORTHPORT CITY COUNCIL AGENDA**

AGENDA ITEM NO.

MEETING DATE: August 30, 2011

SUBJECT: First Reading, Amending Section 10-26 Regarding Sale of Alcoholic Beverages

Consent Agenda	Action Agenda X	Public Hearing
First Reading X	Second Reading	Other

Prepared By: Julie Ramm

Summary: Please find attached an amendment to Section 10-26 which will provide for the sale of alcoholic beverages on Sundays as per the special referendum held on August 23, 2011.

Alternatives: None.

Recommendation: Adopt the attached ordinance.

Fiscal Impact:

Motion for Consideration: None needed for a first reading.

Offered by: _____

ORDINANCE NO. 2011-_____

ORDINANCE AMENDING SECTION 10-26 REGARDING THE SALE OF ALCOHOLIC BEVERAGES PROHIBITED DURING CERTAIN HOURS

WHEREAS, the State of Alabama passed Act No. 2011-120, allowing the legal sale and distribution of alcoholic beverages within the City of Northport on Sunday from 12:00 p.m. (noon) and 9:30 p.m., and on those Sunday on which occurs New Years Eve (December 31st) after 12:00 p.m. (noon), upon the approval by the voters in the City of Northport by an election pursuant to that Act.

WHEREAS, the City of Northport conducted an election on August 23, 2011, pursuant to Act 2011-120, and the voters of the City of Northport approved the sale of alcoholic beverages during certain hours on Sundays;

WHEREFORE, the City of Northport hereby amends Section 10-26 of the Code of the City of Northport to read as follows:

“Section 10-26 – Sale of Alcoholic Beverages prohibited during certain hours.

(a) *On-premises consumption.* It shall be unlawful for any person to sell or offer for sale, or to serve or dispense for rewards, or to consume or permit to be consumed on a licensed premises for on-premises consumption, any alcoholic beverage, including but not limited to beer, wine and liquor, in any alcoholic beverage licensed place, or elsewhere in the city, as follows:

Monday prior to 6:30 a.m. (except when Monday falls on January 1);
Tuesday through Friday between the hours of 1:45 a.m. and 6:30 a.m.;
Saturday between the hours of 2:45 a.m. and 6:30 a.m.;
Sunday between the hours of 2:00 a.m. and 12:00 (noon) and after the
Hours of 9:30 p.m. (except when Sunday falls on December 31);
Sunday, December 31, between the hours of 2:00 a.m. and 12:00 (noon);
Monday, January 1, between the hours of 1:45 a.m. and 6:30 a.m.;
unless otherwise permitted by State law.

(b) *Off-premises consumption.* It shall be unlawful for any person to sell or offer for sale on a licensed premises for off-premises consumption any alcoholic beverage including, but

not limited to, beer, wine and liquor, in any alcoholic beverage licensed place, or elsewhere in the city, at anytime on Sunday between the hours of 2:00 a.m. and 12:00 (noon) and after the hours of 9:30 p.m. (except when Sunday falls on December 31).
Sunday, December 31, between the hours of 2:00 a.m. and 12:00 (noon);
unless otherwise permitted by State law.

This ordinance shall be effective immediately upon passage by the City Council and approval by the Mayor.

ORDAINED this the _____ day of _____, 2011.

CITY COUNCIL OF CITY OF NORTHPORT

BY: _____
Its President

ATTEST:

City Administrator/Clerk

APPROVED this the _____ day of _____, 2011.

Mayor Bobby Herndon