

ORDINANCE NO. 16-1072

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE AMENDING TITLE 8, CHAPTER 2 OF THE RED BANK CITY CODE DEFINING THE TERM "BEER" TO BRING THE CODE INTO COMPLIANCE WITH THE DEFINITION OF "BEER" IN THE TENNESSEE CODE

WHEREAS, Section 8-201 of the Red Bank City Code defines the term "beer" in the same manner as T.C.A. Section 57-5-101(b), which through December 31, 2016, means beer, ale or other malt beverages, or any other beverage having an alcoholic content of not more than five percent (5%) by weight; and

WHEREAS, 2015 Pub. Ch. 176, effective April 16, 2015, provides that effective January 1, 2017, T.C.A. Section 57-5-101(b) is/will be amended to state that the term "beer" means beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight (8%) percent by weight"; and

WHEREAS, it is necessary and appropriate for the City to define the term "beer" consistent with state law.


NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RED BANK, TENNESSEE, AS FOLLOWS:

SECTION 1. Title 8, Chapter 2, Section 8-201 is hereby amended by deleting that section in its entirety and substituting the following in its place and stead:

8-201 "Beer" defined. The term "beer" as used in this chapter shall mean beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight percent (8%) by weight, except wine as defined in T.C.A. Section 57-3-101; provided, however, that no more than forty-nine percent (49%) of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol.

SECTION 2. That if any section, sentence, clause, phrase, word or figure contained in this Ordinance should be declared invalid by a final decree of a court of competent jurisdiction, such holding shall not affect the remaining sections, sentences, clauses, phrases, words and figures contained in this Ordinance, but the same shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect on January 1, 2017, the health, safety and welfare of the citizens of the City of Red Bank requiring it.



CITY RECORDER

  
MAYOR

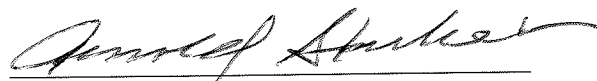
**October 4, 2016**

PASSED ON FIRST READING

**October 18, 2016**

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:



CITY ATTORNEY

