

ORDINANCE NO. 1602 (#09- 2019)

AN ORDINANCE AMENDING JACKSONVILLE MUNICIPAL CODE §§18.54.010(PURPOSE), 18.54.020 (PERMITTED USES), 18.54.075 (LIMITATIONS) AND 3.04.020 (PERMIT FEE – SCHEDULE); DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

WHEREAS, provisions in current zoning classifications limit permitted use of premises retail and wholesale alcohol distributorships and sales. It has been deemed appropriate and beneficial to establish legislative and regulatory provisions to allow breweries and microbreweries within the Jacksonville corporate limits. As a result, the City Council believes the following amended provisions are necessary to enable and promote additional development within the City.

WHEREAS, a brewery is an establishment operated under the definitions, terms, and provisions of Arkansas Code ACA Title 3 (ACA § 3-1-101 et seq) which manufactures beer, malt, and hard cider up to 45,000 barrels per year and which may sell products produced on site for on-premises and off-premises consumption. This establishment may include a restaurant.

WHEREAS, a microbrewery is an establishment operated under the definitions, terms, and provisions of Arkansas Code ACA Title 3 (ACA § 3-1-101 et seq) which manufactures beer, malt, and hard cider up to 20,000 barrels per year and which may sell products produced on site for on-premises and off-premises consumption. The establishment may include a restaurant.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:

SECTION ONE: JMC § 18.54.010 (PURPOSE) is hereby amended to include:

JMC § 18.54.010 Purpose; The C-5 zoning district is designed to accommodate existing and/or new development of a mixed highway commercial area for the distribution and/or retail sales of on-premises or off-premises retail and wholesale alcohol and provide for the integrity and protection of residential and commercial zoning districts.

SECTION TWO: JMC § 18.54.020 (PERMITTED USES – C-5) is hereby amended to include:

JMC § 18.54.020 (Permitted Uses – C-5)

Breweries and Microbreweries with Alcohol, Beer, &/or Wine Sales

SECTION THREE: JMC § 3.04.020 (PERMIT FEE – SCHEDULE) is hereby amended to include:

JMC § 3.04.020 Permit Fee – Schedule

F. Breweries \$1000

G. Microbreweries \$1000

SECTION FOUR: JMC § 18.54.075 (LIMITATIONS) is hereby repealed.

SECTION FIVE: If any court of competent jurisdiction finds that any section, clause, sentence, or phrase of these Code provisions is invalid or unconstitutional, that finding in no way affects validity of the remaining portions of this Code.

SECTION SIX: All Ordinances or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

SECTION SEVEN: Said Ordinance and the changed included herein shall be in full force and effect from and after its passage and approval as provided by and subject to applicable law.

APPROVED AND ADOPTED THIS 2nd DAY OF MAY 2019.

CITY OF JACKSONVILLE, ARKANSAS

BOB JOHNSON, MAYOR

ATTEST:

SUSAN M. DAVITT, CITY CLERK

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APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY