

ORDINANCE NO. 142

**AN ORDINANCE SETTING FORTH CERTAIN REGULATIONS FOR
THE SALE OF ALCOHOL, BEER AND WINE IN
THE CITY LIMITS OF GOSHEN, ARKANSAS**

WHEREAS, pursuant to an election of the people of Washington County, Arkansas, the sale of alcohol, beer and wine is permitted in Washington County; and

WHEREAS, pursuant to Ark. Code Ann. § 3-9-203(d)(1) A ...city ...may authorize by ordinance the sale of alcoholic beverages for on-premises consumption under [state law] if the ... city ...is located in ...a county that authorized the manufacture and sale of intoxicating liquor; and

WHEREAS, in order to provide a safe environment for such sales, to comply with applicable state laws and to promote the orderly operation of business which will sell alcohol, beer and wine on-premises in Goshen, the City Council adopts the following regulations:

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF GOSHEN, ARKANSAS:

SECTION 1. The City of Goshen hereby recognizes that the sale of alcohol, beer and wine, by the drink, is thoroughly regulated by the State of Arkansas, and nothing in this ordinance shall contradict the laws of Arkansas.

SECTION 2. The City of Goshen hereby authorizes, by this ordinance, the sale of alcoholic beverages for on-premises consumption in licensed premises.

SECTION 3. The definitions, terms and provisions of Ark. Code Ann., Title 3 (Ark. Code Ann. §§ 3-1-101 et seq. as amended from time to time) and all regulations promulgated thereunder, relating to beer, wine and liquors are hereby adopted and made a part of this chapter. Applicants for and holders of permits and other persons shall conform to the provisions set forth in statutes and regulations promulgated thereunder and to the provisions of this ordinance. Violations of the state statutes and regulations, which are adopted and incorporated by reference into this ordinance, shall subject the offender, upon conviction, to the penalties prescribed by state law.

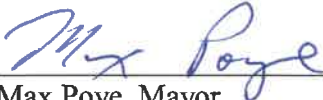
SECTION 4. It shall be unlawful for any person in the City of Goshen to sell, or offer for sale any alcoholic beverage for consumption on the licensed premises except as follows: (1) Monday through Saturday from 7:00 a.m. to 10 p.m. and (2) Sunday from 10:00 a.m. to 10 p.m.

SECTION 5. Any person convicted of violating this ordinance shall be punished up to the maximum provided in A.C.A. § 3-9-204, if applicable; otherwise, as provided in this section for each violation. In addition to any penalties imposed by the state for a permit violation, any person, firm or corporation licensed by the State of Arkansas to sell alcoholic beverages and any employee thereof

violating the provisions of this ordinance shall, upon conviction, for a first offense be fined not more than \$100; for a second offense be fined not more than \$500; and each subsequent offense thereafter be fined not more than \$1,000 for each such separate offense. For purposes of this section, it is considered a separate violation for each person served or permitted to consume alcoholic beverages during the prohibited hours as set out in this ordinance.

SECTION 6. Provisions of this ordinance are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid each invalidity shall not affect the remainder of the sections, phrases or provisions.

PASSED AND APPROVED this 12th day of December, 2017.



Max Poye, Mayor

ATTEST:



Sharon Baggett, City Recorder

APPROVED AS TO FORM:



Charles L. Harwell, City Attorney

ROLL CALL VOTE ADOPTING THE ORDINANCE

Names Of Those Voting YEA

Paula Anderson
Andy Bethell
Brian Buell
Cathy Oliver
Lanny Samuels
Dick Seddon

Names Of Those Voting NAY