

RESOLUTION NO. 2021- 10

**A RESOLUTION OPTING IN TO THE ALCOHOLIC BEVERAGE COMMISSION'S
RULES FOR HOURS FOR THE SALE OF ALCOHOLIC BEVERAGES**

WHEREAS, Tennessee Code Annotated Section 57-4-203(d)(5) authorizes the Tennessee Alcoholic Beverage Commission to adopt rules expanding the hours during which it is legal to sell or give away alcoholic beverages, malt beverages and wine in municipalities such as the City of Fayetteville that have approved liquor by the drink by referendum; and

WHEREAS, Tennessee Code Annotated Section 57-4-203(d)(5) further provides that the governing body of any municipality that has approved liquor by the drink by referendum may opt out of any extension of hours adopted by the Alcoholic Beverage Commission and may, at a later date opt in by passage of a resolution; and

WHEREAS, the Board of Mayor and Aldermen for the City of Fayetteville approved a Resolution on February 12, 2002, opting out of the extended hours for the sale of alcoholic beverages as adopted by the Tennessee Alcoholic Beverage Commission, the effect of which established a time for Sunday sale of such beverages beginning at noon; and

WHEREAS, merchants doing business in the City of Fayetteville have requested reconsideration of this issue as they believe they are losing potential package beer sales to merchants in nearby municipalities that permit the sale of beer beginning at 10:00 a.m. on Sundays; and

WHEREAS, restaurants that serve liquor by the drink in the City of Fayetteville will also be positively affected by opting in to the extended hours established by the Alcoholic Beverage Commission.

**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, BE IT
RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF
FAYETTEVILLE, TENNESSEE, THAT:**

The City of Fayetteville does hereby opt in to the rule, as adopted by the Tennessee Alcoholic Beverage Commission on November 16, 2000, expanding the hours during which alcoholic beverages, malt beverages and wine may be sold or given away on Sunday so as to permit the sale of such beverages beginning at 10:00 a.m. on Sundays.

This resolution shall take effect from and after its passage, the general welfare of the City of Fayetteville requiring it.

Approved and adopted this the 9th day of March, 2021.



MICHAEL T. WHISENANT, Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "S. Collins", written in dark ink.

Scott Collins, City Clerk