

AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, by an election held in the City of Aberdeen, Mississippi, on the 8th day of September, 1970, under the provisions of Section 10208, Mississippi Code of 1942, As Amended, (currently Section 67-3-9, Mississippi Code of 1972, As Amended), and accepted, ratified, and approved by the Mayor and Board of Aldermen of the City of Aberdeen on the 22nd day of September, 1970, the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight was made lawful and permitted in the said corporate limits of the City of Aberdeen, Monroe County, Mississippi; and

WHEREAS, this Board is authorized under the provisions of Section 67-3-65, Mississippi Code of 1972, As Amended, and under its general police powers, to prescribe and enforce reasonable and proper rules and regulations to control the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, as well as, to set zones and territories, prescribe the hours of opening and closing of establishments licensed pursuant to this Ordinance, to regulate the advertising and the display of such wine and beer, and for such other measures as will promote the public health, safety, morals and general welfare of the citizens of the said City of Aberdeen, as this Board may order to be applicable to the territory inside the municipal corporate limits of the said City of Aberdeen, Monroe County, Mississippi.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

SECTION 1. It shall be unlawful for any individual, partnership, association, corporation or business entity of any description or nature whatsoever, to sell, to offer for sale, or to have in its possession for the purposes of sale, any wine, beer, or alcoholic beverages as regulated by this Ordinance without having first obtained a valid permit from the Board of Aldermen of the City of Aberdeen, Monroe County, Mississippi, authorizing the sale of beer, wine, or alcoholic beverages as contemplated herein. That any violation of this Section shall be considered a misdemeanor and upon conviction for the violation of this Section, the said offender shall be punished as and for a misdemeanor offense under the laws of the State of Mississippi.

SECTION 2. That the opening of a container of such wine and beer, and the consumption of such wine and beer on the premises of a holder of a permit authorizing the sale of such beverages, or the permitting of either to be done on such premises by the holder of such permit be and the same is hereby prohibited except as follows, to-wit:

(A) On the premises of a restaurant holding a permit authorizing the sale of such beverages; the word "restaurant" for the purpose of this order meaning a place which is regularly and in a bona fide manner used and kept open for the service of meals to guests for compensation and which has suitable seating facilities for guests and has suitable kitchen facilities connected therewith for cooking an assortment of foods and meats commonly ordered at various hours of the day; the services of such food as sandwiches and salads only

shall not be deemed in compliance with this requirement; no place shall qualify as a restaurant under the provisions of this order unless fifty percent or more of the revenue derived from such place shall be for the preparation, cooking and serving of meals, and not for the sale of such alcoholic beverages.

(B) On the premises of a club holding a permit authorizing the sale of such alcoholic beverages; the word "club" for the purpose of this order meaning an association or a corporation organized or created under the laws of the United States of America or the laws of the State of Mississippi, organized for the promotion of some common object other than the sale or consumption of alcoholic beverages, maintained by its members through payment of annual dues, and owning, hiring, or leasing a building, of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests. That the affairs and management of such clubs must be conducted by a Board of Directors, Board of Governors, executive committee or similar governing body chosen by the members at regular meetings at periodic intervals, and that no member, officer, agent or employee of the club is paid, or directly or indirectly receives in the form of salary or other compensation any profit from the distribution of sale of such alcoholic beverages to the club or to the members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the Board of Directors or other governing body out of the general revenues of said club.

SECTION 3. That the erecting and maintaining of any sign, lighted, or otherwise, or printing upon the outside of the premises,

covered by a permit, advertising, announcing or advising of the sale of wine and beer in or on said premises be, and hereby is, prohibited; except that on each entrance thereof, may be printed in letters of not more than eight (8) inches high the wine and beer permit number and the words "wine and beer sold here".

SECTION 4. That the storing and keeping of containers of wine and beer, in or on the premises covered by such permit in such a manner as to be visible from the highway or otherwise from the outside of said premises be, and the same is hereby prohibited.

SECTION 5. That the advertising of wine and beer by means of signs, billboards, or displays on and along a public road, highway, street or on any building in said municipal limits be, and the same is hereby prohibited.

SECTION 6. That the advertising of wine and beer by persons or entities holding licenses issued pursuant to this Ordinance shall be prohibited on any radio station, television station, or any media using the public airways, as well as, the advertising of wine and beer by persons or entities holding licenses issued pursuant to this Ordinance, through newspapers or like publications is hereby prohibited.

SECTION 7. No wine or beer regulated pursuant to this Ordinance shall be sold, given, or dispensed, or permitted to be consumed in or upon a licensed premises during the days, Monday through Saturday between the hours of midnight and 7:00 o'clock A.M. the following morning, and on Sundays. Further, there shall be no sale or consumption of such wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

SECTION 8. It shall be unlawful for all businesses or entities licensed pursuant to this Ordinance, with the

exception of restaurants and clubs, defined hereinabove, to sell wine and beer in a quantity less than a six pack or a quart bottle. It shall further be unlawful for restaurants and clubs, defined hereinabove, licensed pursuant to this Ordinance, to sell beer in a quantity of less than a six pack or a quart bottle unless the said beer or wine is consumed on the premises of said restaurant or club.

SECTION 9. The sale of wine and beer is forbidden at all drive-in restaurants or eating establishments that have curb service.

SECTION 10. That all restaurants and clubs as hereinbefore defined shall have adequate seating facilities for its customers and shall under no circumstances sell beer and other beverages authorized under this Ordinance unless the person or persons ordering the said beverages are seated. All restaurants and clubs, as hereinbefore defined, shall have adequate sanitary facilities and separate restrooms for men and women.

SECTION 11. No alcoholic beverages shall be consumed in public parks, school grounds, public streets, sidewalks, and any violation of this section, shall be a misdemeanor and punished accordingly.

SECTION 12. No person shall sell, give or furnish in any manner any wine or beer at any time or place to any person under <sup>TWENTY ONE 21</sup> ~~eighteen (18)~~ years of age, or to knowingly sell, furnish, or give the same to any person for delivery to such minors.

SECTION 13. No alcoholic beverages shall be consumed within five hundred (500) feet of any church, school, hospital, funeral home, or publicly owned recreation center, except in the privacy of one's own home and, except those businesses

located between James Street and Chestnut Street, fronting on Commerce Street, no alcoholic beverages shall be consumed on these premises within two hundred (200) feet of any church, school, hospital, funeral home, or publicly owned recreation center. Further, that in construing this provision, the measurement of distances set out herein shall be made from the closest point on the primary building of a church, school, hospital, funeral home, or publicly owned recreation center, to the closest point on the building wherein the alcoholic beverages, regulated hereunder, are being consumed, the said measurement being made in a straight line from the closest points on said buildings.

SECTION 14. No person shall sell, give or furnish in any manner any wine or beer at any time or place to any person who is known to be insane or mentally incapacitated, or to any person who is visibly intoxicated, or to knowingly sell, furnish, or give the same to any person for delivery to such persons.

SECTION 15. No business or entity licensed pursuant to this Ordinance shall employ in any capacity in connection with the sale or dispensing of wine or beer any person under the age of <sup>TWENTY ONE 21</sup> ~~eighteen (18)~~ years.

SECTION 16. No business or entity licensed pursuant to this Ordinance shall permit the consumption or sale of wine or beer on the premises of any retail establishment unless such establishment holds a valid permit issued by the Alcoholic Beverage Control Division of the State Tax Commission of the State of Mississippi.

SECTION 17. No business or entity licensed pursuant to this Ordinance shall permit at the business location, any lewd, immoral, or improper entertainment, conduct, or practices.

SECTION 18. No business or entity licensed pursuant to this Ordinance shall permit loud, boisterous, or disorderly conduct of any kind upon said premises, or to permit the use of loud musical instruments so as to disturb the peace and quietude of the community wherein such business is located.

SECTION 19. No business or entity licensed pursuant to this Ordinance shall permit or suffer gambling or the operation of games of chance upon the licensed premises.

SECTION 20. It shall be unlawful for any business or entity licensed pursuant to this Ordinance to employ any persons who have been convicted of any felony, or who have been convicted of any violation of State or Federal laws relating to alcoholic beverages within two (2) years prior to such employment.

SECTION 21. In the event of any disturbance, uprising or riot, or any other emergency of life, property, or public safety, the Mayor may require the Chief of Police to promptly order any and all places in the City where wine or beer is consumed, sold, or otherwise dispensed to discontinue the sale of said wine and/or beer for the period of such emergency.

SECTION 22. It shall be unlawful for any person under the age of ~~eighteen~~ <sup>TWENTY ONE 21</sup> (18) years to purchase, consume, or have in his possession any such wine or beer regulated pursuant to this Ordinance. Further, it shall be unlawful for any person under the age of ~~eighteen~~ <sup>TWENTY ONE 21</sup> (18) years to make a false statement as to his or her age for the purposes of obtaining wine or beer.

SECTION 23. No permit or license required by this Ordinance shall issue to any person unless satisfactory evidence is furnished to the Mayor and Board of Aldermen of the City that such person has complied with the requirements of State law, and if the permit required by State law is at any time revoked,

the said revocation shall operate as a cancellation and forfeiture of the rights of the person or entity holding a permit or license issued under the terms of this Ordinance.

SECTION 24. All applicants must be approved by the Mayor and Board of Aldermen prior to the granting of the permit or license to be issued pursuant to this Ordinance, and the Mayor and Board of Aldermen shall establish certain standards by which to evaluate the qualifications of said applicants before obtaining a license or permit, and said standards or qualifications include, but shall not be limited to, the following, to-wit:

(A) Applicant must be a person at least twenty-one years of age, of good moral character, a citizen of the United States and the State of Mississippi.

(B) Applicant shall not have been convicted of a felony, or of pandering or of keeping or maintaining a house of prostitution, or have been convicted within two years of the date of his application of any violation of the laws of this State or the laws of the United States relating to alcoholic liquor.

(C) Applicant shall not have had revoked, within two years next preceding his application, any license or permit issued to him pursuant to the laws of this City, this State, or any other State, to sell alcoholic liquor of any kind.

(D) Applicant shall be the owner of the premises for which the permit is sought or the holder of an existing lease thereon.

(E) Applicant shall not be residentially domiciled with any person whose permit has been revoked for cause within two years next preceding the date of the present application for a permit.



(F) Applicant shall not employ any person whose permit has been revoked when such person owned or operated the business on the premises for which a permit is sought or allow such person to have any financial interest in the business of the applicant, until such person is qualified to obtain a permit in his own name.

(G) The applicant is not indebted to the City of Aberdeen for any taxes or any indebtedness of any nature whatsoever.

(H) If applicant is a partnership, all members of the partnership must be qualified to obtain a permit.

(I) If applicant is a corporation, all officers and directors thereof, and any stockholder owning more than five percent of the stock of such corporation, and the person or persons who shall conduct and manage the licensed premises for the corporation shall possess all the qualifications required herein for any individual permittee. However, the requirements as to residence shall not apply to officers, directors, and stockholders of such corporation, although such requirements shall apply to any officer, director, or stockholder who is also the manager of the licensed premises or who is engaged or employed at the licensed premises.

Any misstatement or concealment of fact in an application shall be ground for denial of the application or for revocation of the permit issued thereon.

The Mayor and Board of Aldermen may refuse to issue a permit to an applicant for a place that is frequented by known criminals, prostitutes, or other law violators or trouble makers who disturb the peace and quietude of

the community and frequently require the assistance of peace officers to apprehend such law violators or to restore order. The burden of proof of establishing the foregoing shall rest upon the Mayor and Board of Aldermen.

SECTION 25. Any individual, partnership, association, corporation, or business entity of any description or nature whatsoever violating any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished for any violation of this Ordinance as for a misdemeanor offense under the laws of the State of Mississippi.

In addition, any privilege license or permit of any nature whatsoever issued pursuant to this Ordinance to such individual, partnership, association, corporation, or business entity of any description or nature whatsoever shall be revoked.

SECTION 26. That this Ordinance is declared to be cumulative and supplemental to any and all acts and laws of the State of Mississippi, pertaining to the governing of the sale, consumption, and distribution of light wines and beers, and is in the interest of promoting the public health, morals, safety, and general welfare of the citizens of the City of Aberdeen, Monroe County, Mississippi.

SECTION 27. That should any individual, partnership, association, corporation, or business entity of any description or nature whatsoever violate any provision of this Ordinance, the license or permit issued to said individual, partnership, association, corporation, or business entity of any description or nature whatsoever, pursuant to this Ordinance, shall be revoked. Said revocation shall be effective following a hearing before the Mayor and Board of Aldermen of the City of Aberdeen, Mississippi, in conformity with the following guidelines and

procedures, to-wit:

(A) That at least fourteen (14) days notice shall be furnished to the alleged offender prior to the hearing before the Mayor and Board of Aldermen.

(B) That an evidentiary hearing shall be held before the said Mayor and Board of Aldermen with the alleged offender having the opportunity to cross-examine witnesses testifying against him as well as, to be represented by an attorney or any person of his choosing.

(C) In the event that the Mayor and Board of Aldermen decide to revoke the license or permit of an offender, the said offender shall have the right to appeal the decision of the Mayor and Board of Aldermen to the appropriate Courts of the State of Mississippi, within the time and manner as prescribed by law.

(D) Should no appeal be taken from the decision of the Mayor and Board of Aldermen, the revocation of the permit or license will be final.

SECTION 28. That prior to the issuance of any license or permit pursuant to this Ordinance, the applicant must complete a Retail Beer - Application for Permit to be presented to the Mayor and Board of Aldermen of the City of Aberdeen, a copy of said Retail Beer - Application for Permit being attached to this Ordinance as Exhibit "A", and incorporated herein by reference the same as if fully copied in words and figures. That in addition to completing the aforesaid Retail Beer - Application for Permit, any individual, partnership, association, corporation or business entity of any description or nature whatsoever applying to operate as a restaurant or club, defined hereinabove, shall complete and file with the Mayor and Board of Aldermen a supplemental affidavit, a copy of said affidavit being attached to this Ordinance as

Exhibit "B", and incorporated herein by reference the same as if fully copied in words and figures.

SECTION 29. If any Section, paragraph, clause or sentence of this Ordinance be declared illegal or unconstitutional, or in conflict with any existing statutes, it shall not impair or effect the validity of the remainder of said Ordinance, but all other provisions, conditions, and stipulations of said Ordinance shall remain in full force and effect.

SECTION 30. That a certified copy of this Ordinance shall be published once in the Aberdeen Examiner, a newspaper having general circulation within the City of Aberdeen, Monroe County, Mississippi, for the information and guidance of the citizens of the said City of Aberdeen.

SECTION 31. That this Ordinance shall take effect and be in force thirty (30) days from the date of publication as aforesaid in the Aberdeen Examiner.

The foregoing Ordinance having been first reduced to writing was read and considered Section by Section, each of said Sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA":  
JULIAN T. EVANS, JR.  
C. B. PATTERSON  
ROBERT E. WILLIAMS  
O. W. CLAY  
GROVER JACKSON

ALDERMEN VOTING "NAY":  
NONE

ALDERMEN ABSENT OR NOT VOTING:  
NONE

Whereupon, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

ALDERMEN VOTING "YEA":

GROVER JACKSON  
ROBERT E. WILLIAMS  
C. B. PATTERSON  
C. W. CLAY  
JULIAN T. EVANS, JR.

ALDERMEN VOTING "NAY":

NONE

ALDERMEN ABSENT OR NOT VOTING:

NONE

Thereupon, the Mayor declared said Ordinance approved, passed and adopted.

This the 26th day of February, 1980.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

(SEAL)

RETAILER  
BEER  
APPLICATION FOR PERMIT

Note — Specific location of business for which permit is desired must be shown  
To the Mayor and Board of Aldermen:

City of Aberdeen  
Aberdeen, Mississippi

Application is hereby made for a permit to engage in the business of retailing beer in the State of Mississippi under the provisions of Section 2, Chapter 127, Laws of the State of Mississippi of 1934, as amended  
The permit to be issued in the name of:

Owner of Business \_\_\_\_\_

Trading as \_\_\_\_\_

Location of Business - Specific \_\_\_\_\_

Town \_\_\_\_\_ County \_\_\_\_\_

Check whether inside (\_\_\_\_\_) or outside (\_\_\_\_\_) corporate limits of city, town, or village.

Mailing Address \_\_\_\_\_

Nature of Business \_\_\_\_\_

Individual (\_\_\_\_\_) Partnership (\_\_\_\_\_) Corporation (\_\_\_\_\_) Other (\_\_\_\_\_) Specify

If corporation, state the names of all officers and directors thereof, and any stockholder owning more than 5% of the stock of said corporation, and the person who shall conduct or manage the licensed premises for the corporation, and the addresses of such persons.

NAME

ADDRESSES

NAME	ADDRESSES
_____	_____
_____	_____
_____	_____
_____	_____

If applicant is an individual, he shall give three (3) character references by name and address of such persons

_____	_____
_____	_____
_____	_____

I, or we, the applicant, or applicants, or duly authorized agent or agents of the applicant or applicants, for whom the permit is applied, do hereby state upon oath that the following facts are true:

1. That the person or persons named in this application are of good moral character and citizens of the United States and the State of Mississippi.
2. That the person or persons named in this application have not been convicted of a felony, or of pandering, or of keeping or maintaining a house of prostitution, or have not been convicted within two years of the date of this application of any violation of the laws of this State or of the United States relating to alcoholic liquor.
3. That neither the individual nor any partner nor officer of the corporation named in this application has had revoked within two years next preceding this application, any license or permit issued to him under the laws of this State, or any state, to sell alcoholic liquor of any kind.
4. That the person or persons named in this application are the owner of the premises for which the permit is sought, or the holder of a valid lease on the premises described.
5. That all of the representations contained in the foregoing four paragraphs apply individually and collectively to all officers and directors of any corporation, and to any stockholder owning more than 5% of the stock of such corporation making application for this permit.

I, or we, do hereby agree and obligate the recipient of this permit, under the full penalty of the law, to the following terms and conditions.

1. That alcoholic beverages containing more than 4% alcohol by weight will not be sold, kept, stored or secreted in or on the premises for purpose of sale in areas that have voted to legalize the sale of such alcoholic beverages, unless a license has been secured from the State of Mississippi to sell such alcoholic beverages.
2. That alcoholic beverages containing more than 4% alcohol by weight will not be possessed by any person, or sold, kept, stored or secreted in or on the premises in areas that do not allow the sale of such alcoholic beverages.
3. That beer will not be sold, given, dispensed, or permitted to be consumed in or upon the premises between the hours of midnight and 7:00 o'clock A. M. of the following day, or during anytime that the premises described may be required to be closed by municipal ordinance or order of the board of supervisors of the county.
4. That beer will not be sold, furnished or given to any person under the age of <sup>21</sup>~~18~~ years.
5. That beer will not be sold, given or furnished to any person visibly or noticeably intoxicated, or to any insane person, or to any habitual drunkard.
6. That lewd, immoral, or improper entertainment, conduct or practice, will not be permitted or conducted on the premises.
7. That loud, boisterous or disorderly conduct, or loud musical instruments will not be permitted or conducted on the premises, and nothing will be done to disturb the peace and quietude of the community wherein such business is located.
8. That persons of ill repute, known criminals, prostitutes, or minor, except minors accompanied by parents or guardians, or under proper supervision, will not be permitted on the premises.
9. That gambling or operation of games of chance will not be permitted or suffered on the premises.
10. That any of the laws of the State of Mississippi will not be violated by the applicant, or that the applicant will not knowingly allow any person to violate the laws of the State of Mississippi while in or on the premises.
11. That all invoices covering purchases of beer for sale or use upon premises will be carefully preserved for inspection, and that all rules and regulations promulgated by the Commissioner under the provisions of law will be complied with in the operation of the business for which the permit is procured.

Sworn to and Subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Title of Officer

STATE OF MISSISSIPPI

COUNTY OF MONROE

I, I, the undersigned, \_\_\_\_\_,  
an applicant for a permit or license to sell wine and beer  
under the provisions of that certain Ordinance, and the amendments  
thereto, enacted by the Mayor and Board of Aldermen of the City  
of Aberdeen, Mississippi, on the 26th day of February , 1980,  
do hereby certify as follows:

1. That I have been furnished with a copy of the  
aforesaid Ordinance; that I have read and thoroughly  
understand the same; and that, if I am granted the  
said permit, I agree to comply fully with each and  
all the requirements and restrictions therein con-  
tained.

2. That, if granted the said permit, my business will  
be located at \_\_\_\_\_,  
and that said location is not within the prohibited  
limits from any church, school, hospital, funeral home  
or publicly owned recreation center.

3. That, if granted the said permit, I will maintain  
a restaurant, as defined by Section 2(a) of said  
Ordinance at the above-mentioned location. I further  
understand that, in order to maintain such a restaurant,  
I must:

(a) Maintain a business which is regularly and  
in a bona fide manner used and kept open for the  
service of meals to guests for compensation.

(b) Maintain suitable seating facilities for  
guests and have suitable kitchen facilities  
connected therewith for cooking an assortment  
of foods and meats commonly ordered at various  
hours of the day. Further, I understand that  
the service of foods such as sandwiches and salads  
only will not be sufficient compliance with the  
foregoing.

(c) Not sell beer or other controlled beverages  
unless the person or persons ordering the same  
be seated.

(d) Maintain adequate sanitary facilities and  
separate restrooms for men and women.

4. That, if granted the said permit, I will not erect or  
maintain any sign advertising the sale of beer or wine  
in my restaurant except as is permitted by Section 3  
of the said Ordinance.

5. That, if granted the said permit, I will not permit  
the containers of any such beer or wine to be visible  
from outside my premises.



6. That, if granted the said permit, I will not permit the sale of beer or wine in my establishment between the hours of 12:00 o'clock midnight and 7:00 o'clock A.M.

7. That, if granted said permit, I will not allow beer to be sold at my business establishment on Sundays or election days.

8. That, if granted the said permit, my restaurant will not be the type commonly referred to as a "drive-in" restaurant and that curb service will not be furnished.

9. That, if granted the said permit, I will not allow beer to be sold to or served to minors under ~~18~~<sup>21</sup> years of age.

10. That each of all of the statements contained in my application for a beer permit (including those shown on the reverse side thereof) are true and correct.

11. That, if granted the said permit, I will, whenever called on so to do, furnish the Board of Aldermen of the City of Aberdeen, Mississippi, with such records, documents, or other evidence as may be necessary in order to prove compliance with the said Ordinance.

II. I understand that should it be proven that any statement or certification contained herein is untrue or incorrect or should I violate any provision of the aforesaid Ordinance, my permit, if granted, may be revoked by the Mayor and Board of Aldermen of the City of Aberdeen, Mississippi.

WITNESS my signature on this the \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
SWORN to and SUBSCRIBED before me, this the \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

ORDINANCES OF BOARD OF ALDERMEN, BOOK No. 3

REMENT - HERIDIAN

AN ORDINANCE AMENDING SECTION THIRTEEN OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 13 thereof provides for the regulations of on premises consumption of beer and/or light wine within the downtown business district; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the downtown business district area should be enlarged, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 13. No alcoholic beverages shall be consumed within five hundred (500) feet of any church, school, hospital, funeral home, or publicly owned recreation center, except in the privacy of one's own home and, except those businesses located between James Street and Chestnut Street that lie North of Washington Street and South of College Place and its extension commonly called Quincy Street. No alcoholic beverages shall be consumed on these premises within two hundred (200) feet of any church, school, hospital, funeral home, or publicly owned recreation center. Further, that in construing this provision, the measurement of distances set out herein shall be made from the closest point on the primary building of a church, school, hospital, funeral home, or publicly owned recreation center, to the closest point on the building wherein the alcoholic beverages, regulated hereunder, are being consumed, the said measurement being made in a straight line from the closest points of said buildings.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

- ALDERMEN VOTING "YEA": JOHN ALLEN, JAMES E. ARNOLD, C. B. PATTERSON, FELIX WEST
- ALDERMEN VOTING "NAY": NONE
- ALDERMEN ABSENT: NONE
- ALDERMEN ABSTAINING: WILCHIE CLAY

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

- ALDERMEN VOTING "YEA": JOHN ALLEN, JAMES E. ARNOLD, C. B. PATTERSON, FELIX WEST
- ALDERMEN VOTING "NAY": NONE
- ALDERMEN ABSENT: NONE
- ALDERMEN ABSTAINING: WILCHIE CLAY

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted, this, the 17th day of June, 1986.

ATTEST:

/s/ FRANK W. HARRINGTON, MAYOR

/s/ HERSHEL WILLIAMS, CITY CLERK

## ORDINANCES OF BOARD OF ALDERMEN, BOOK No. 3

AN ORDINANCE AMENDING SECTION TWENTY EIGHT OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3, at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, provides for the regulation and permitting of premises on which beer and/or light wine may be stored, kept, sold, etc.; and

WHEREAS, it is necessary and convenient for the proper regulation of the renewal of all licenses or permits issued under this ordinance, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401 of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 28-A. The permit issued by the City of Aberdeen, Mississippi, shall be valid for one (1) year from the date of its issuance and shall have to be renewed on an annual basis.

Not less than thirty (30) days nor more than forty-five (45) days prior to the expiration date of any such permit, the licensee shall submit an affidavit that all material facts that existed for the original issuance of said permit still exist and are still true and correct.

AT a regular or recessed meeting of the Mayor and Board of Aldermen of the City of Aberdeen, Mississippi, held in the month preceeding the month of the anniversary date of the issuance of such permit, the Board shall review all relevant evidence concerning whether or not such permit shall be reissued. Should the Mayor and Board of Aldermen preliminarily determine that the permit should not be reissued, then the following procedure shall be used:

(1) At least ten (10) days written notice shall be furnished the license holder prior to a hearing before the Mayor and Board of Aldermen.

(2) That an evidentiary hearing shall be held before the said Mayor and Board of Aldermen with the license holder having the opportunity to cross-examine witnesses and present evidence in his behalf as to why said permit should be renewed, as well as the right to be represented by an attorney or any person of his choosing.

(3) Should the Mayor and Board of Aldermen decline to renew said permit and no appeal is taken to the appropriate Court or Courts of the State of Mississippi, within the time and manner prescribed by law, the non-renewal of the permit or license shall become final.

That other than the aforesaid amendment, the Ordinance and all prior Amendments set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA" : JAMES E. ARNOLD, C. B. PATTERSON, JOHN S. ALLEN, JR.

ALDERMEN VOTING "NAY" : FELIX WEST, WILCHIE CLAY

ALDERMEN ABSENT : NONE

ALDERMEN ABSTAINING : NONE

ORDINANCES OF BOARD OF ALDERMEN, BOOK No. 3

DEMENT-MERIDIAN

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

ALDERMEN VOTING "YEA" : JOHN S. ALLEN, JR. MAYOR Pro Tem  
C. B. PATTERSON  
JAMES E. ARNOLD

ALDERMEN VOTING "NAY" : WILCHIE CLAY  
FELIX WEST

ALDERMEN ABSENT : NONE

ALDERMEN ABSTAINING : NONE

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted, this, the 3rd day of February, 1987.

/s/ JOHN S. ALLEN, JR. MAYOR PRO TEM

ATTEST:

HERSHEL WILLIAMS, CITY CLERK

AN ORDINANCE AMENDING SECTION THIRTEEN OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 13 thereof provides for the regulations of on premises consumption of beer and/or light wine within the downtown business district; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the downtown business district area should be enlarged, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 13. No alcoholic beverages shall be consumed within five hundred (500) feet of any church, school, hospital, funeral home, or publicly owned recreation center, except in the privacy of one's own home and, except those businesses located between James Street and Chestnut Street that lie North of Washington Street and South of College Place and its extension commonly called Quincy Street. No alcoholic beverages shall be consumed on these premises

within two hundred (200) feet of any church, school, hospital, funeral home, or publicly owned recreation center. Further, that in construing this provision, the measurement of distances set out herein shall be made from the closest point on the primary building of a church, school, hospital, funeral home, or publicly owned recreation center, to the closest point on the building wherein the alcoholic beverages, regulated hereunder, are being consumed, the said measurement being made in a straight line from the closest points of said buildings.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA": JOHN ALLEN, JAMES E. ARNOLD,  
C. B. PATTERSON, FELIX WEST

ALDERMEN VOTING "NAY": NONE

ALDERMEN ABSENT: NONE

ALDERMEN ABSTAINING: WILCHIE CLAY

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

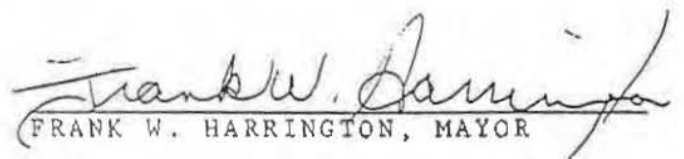
ALDERMEN VOTING "YEA": JOHN ALLEN, JAMES E. ARNOLD,  
C. B. PATTERSON, FELIX WEST

ALDERMEN VOTING "NAY": NONE

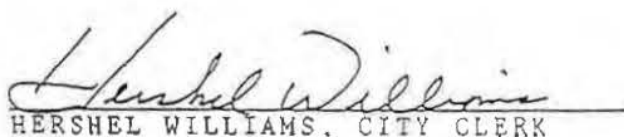
ALDERMEN ABSENT: NONE

ALDERMEN ABSTAINING: WILCHIE CLAY

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted, this, the 17th day of June, 1986.

  
FRANK W. HARRINGTON, MAYOR

ATTEST:

  
HERSHEL WILLIAMS, CITY CLERK

AN ORDINANCE AMENDING SECTION TWENTY EIGHT OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3, at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, provides for the regulation and permitting of premises on which beer and/or light wine may be stored, kept, sold, etc.; and

WHEREAS, it is necessary and convenient for the proper regulation of the renewal of all licenses or permits issued under this ordinance, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401 of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 28-A. The permit issued by the City of Aberdeen, Mississippi, shall be valid for one (1) year from the date of its issuance and shall have to be renewed on an annual basis.

Not less than thirty (30) days nor more than forty-five (45) days prior to the expiration date of any such permit, the licensee shall submit an affidavit that all material facts that existed for the original issuance of said permit still exist and are still true and correct.

At a regular or recessed meeting of the Mayor and Board of Aldermen of the City of Aberdeen, Mississippi, held in the month preceeding the month of the anniversary date of the issuance of such permit, the Board shall review all relevant evidence concerning whether or not such permit shall be reissued. Should the Mayor and Board of Aldermen preliminarily determine that the permit should not be reissued, then the following procedure shall be used:

(1) At least ten (10) days written notice shall be furnished the license holder prior to a hearing before the Mayor and Board of Aldermen.

(2) That an evidentiary hearing shall be held before the said Mayor and Board of Aldermen with the license holder having the opportunity to cross-examine witnesses and present evidence in his behalf as to why said permit should be renewed, as well as the right to be represented by an attorney or any person of his choosing.

(3) Should the Mayor and Board of Aldermen decline to renew said permit and no appeal is taken to the appropriate Court or Courts of the State of Mississippi, within the time and manner prescribed by law, the non-renewal of the permit or license shall become final.

That other than the aforesaid amendment, the Ordinance and all prior Amendments set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA": JAMES E. ARNOLD, C. B. PATTERSON, JOHN S. ALLEN, JR.

ALDERMEN VOTING "NAY": FELIX WEST, WILCHIE CLAY

ALDERMEN ABSENT: NONE

ALDERMEN ABSTAINING: NONE

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:



ALDERMEN VOTING "YEA": JOHN S. ALLEN, JR. MAYOR Pro Tem  
C. B. PATTERSON  
JAMES E. ARNOLD  
ALDERMEN VOTING "NAY": WILCHIE CLAY  
FELIX WEST  
ALDERMEN ABSENT: NONE  
ALDERMEN ABSTAINING: NONE

THEREUPON, the Mayor declared said Ordinance approved, passed  
and adopted, this, the 3rd day of February, 1987.

/s/ JOHN S. ALLEN, JR. MAYOR PRO TEM  
FRANK W. HARRINGTON, MAYOR

ATTEST:

Hershel Williams  
HERSHEL WILLIAMS, CITY CLERK

AN ORDINANCE AMENDING SECTION SEVEN OF AN  
ORDINANCE ADOPTING PROPER RULES AND  
REGULATIONS AS TO THE TRANSPORTATION,  
STORAGE, SALE, DISTRIBUTION, POSSESSION,  
RECEIPT AND/OR MANUFACTURE OF WINE AND  
BEER OF AN ALCOHOLIC CONTENT OF NOT MORE  
THAN FOUR PER CENTUM BY WEIGHT IN THE  
CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3, at page 401, and as amended on June 17, 1986, and on February 3, 1987, and recorded in Ordinance Book 3, at pages 434 and 436, of the official records of Monroe County, Mississippi, provides for the regulation and permitting of premises on which beer and/or light wine may be stored, kept, sold, etc.; and

WHEREAS, it is necessary and convenient for the proper regulation of the sale of wine and beer, and for the safety and public welfare of the City of Aberdeen, that said Ordinance should be amended as set out below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. That Section 7 of the Ordinance styled "An Ordinance Adopting Proper Rules and Regulations as to the Transportation, Storage, Sale, Distribution, Possession, Receipt and/or Manufacture of Wine and Beer of an Alcoholic Content of Not More Than Four Per Centum by Weight in the City of Aberdeen, Monroe County, Mississippi" adopted February 26, 1980, and amended June 17, 1986, and February 3, 1987, as recorded in Ordinance Book 3, at pages 401, 434 and 436, of the official records of the City of Aberdeen, Monroe County, Mississippi, be and the same hereby is amended to include Section 7-A, as follows:

2. That persons or entities holding licenses issued pursuant to this Ordinance are required to remove all beer

and alcoholic beverages from counters, bars and tables promptly at midnight. There shall be no wine or beer sold, given, dispensed or permitted to be consumed in or upon any licensed premises after midnight; and upon conviction for a violation of this ordinance, any holder of a beer license shall be punished as and for a misdemeanor under the laws of the State of Mississippi. Upon conviction for a second or subsequent violation of this section, in addition to punishment as and for a misdemeanor offense, any privilege license or permit of any nature whatsoever issued pursuant to this Ordinance to any individual or entity is subject to revocation in accordance with other provisions of this Ordinance.

3. That other than the aforesaid amendment, the Ordinance and all prior amendments set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance, having been reduced to writing, was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

Aldermen voting "Yea":

JOHN S. ALLEN, JR.	FELIX WEST
C.B. (BOB) PATTERSON	WILCHIE CLAY

Aldermen Voting "Nay":

JAMES E. ARNOLD

Aldermen Absent:

NONE.

Aldermen Abstaining:

NONE.

Whereupon, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

Aldermen voting "Yea":

FELIX WEST                      JOHN S. ALLEN, JR.  
WILCHIE CLAY  
C. B. (BOB) PATTERSON

Aldermen Voting "Nay":

JAMES E. ARNOLD

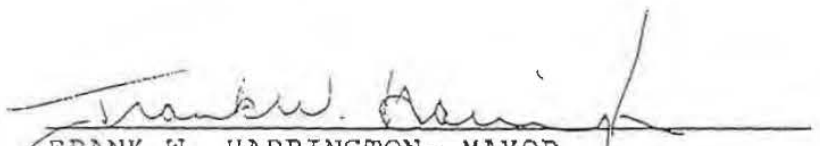
Aldermen Absent:

NONE.

Aldermen Abstaining:

NONE.

Thereupon, the Mayor declared said Ordinance approved, passed and adopted, this the 6th day of June, 1989.

  
FRANK W. HARRINGTON, MAYOR

ATTEST:

  
HERSHEL WILLIAMS, CITY CLERK

(MUNICIPAL SEAL)

AN ORDINANCE AMENDING SECTION SEVEN OF AN ORDINANCE  
ADOPTING PROPER RULES AND REGULATIONS AS TO THE  
TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION,  
RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN  
ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY  
WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including election days; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines on election days be permitted, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out hereinbelow.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 7. No wine or beer regulated pursuant to this Ordinance shall be sold, given, or dispensed, or

permitted to be consumed in or upon a licensed premises during the days, Monday through Saturday between the hours of midnight and 7:00 o'clock A.M. the following morning, and on Sundays. It is permissible from and after enactment of this amendment to sell and consume wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

Aldermen voting "Yea":

Madies Conner  
James E. Arnold  
C. B. Patterson  
Wilchie Clay

Aldermen voting "Nay":

Mary E. Hamilton

Aldermen Absent:

None.

Aldermen Abstaining:

None.

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

Aldermen voting "Yea":

Wilchie Clay  
C. B. Patterson  
Madies Conner  
James E. Arnold

Aldermen voting "Nay":

Mary E. Hamilton

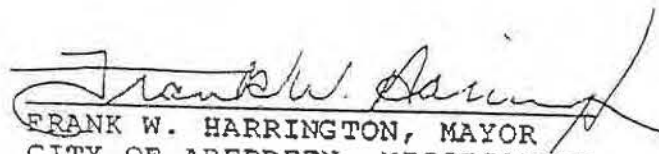
Aldermen Absent:

None.

Aldermen Abstaining:

None.

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted this, the 15th day of October, 1911.

  
FRANK W. HARRINGTON, MAYOR  
CITY OF ABERDEEN, MISSISSIPPI

ATTEST:

  
HERSHEL WILLIAMS, CITY CLERK

AN ORDINANCE AMENDING SECTION SEVEN OF AN ORDINANCE  
ADOPTING PROPER RULES AND REGULATIONS AS TO THE  
TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION,  
RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN  
ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY  
WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including election days; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines on Sundays between the hours of 1:00 p.m. until 6:00 p.m. be permitted, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out hereinbelow.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:



SECTION 7. No wine or beer regulated pursuant to this Ordinance shall be sold, given, or dispensed, or permitted to be consumed in or upon a licensed premises during the days, Monday through Saturday between the hours of midnight and 7:00 a.m. the following morning. Wine and beer regulated pursuant to this Ordinance is permitted to be sold and consumed in or upon a licensed premises on Sunday from 1:00 p.m. until 6:00 p.m. It is permissible from and after enactment of this amendment to sell and consume wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

That other than the aforesaid amendment, the Ordinance with its prior amendments as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

Aldermen voting "Yea":

C. B. (BOB) PATTERSON  
WILCHIE CLAY  
JAMES E. ARNOLD

Aldermen voting "Nay":

MADIES CONNER  
MARY E. HAMILTON

Aldermen Absent:

NONE

Aldermen Abstaining:

NONE

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

Aldermen voting "Yea":

WILCHIE CLAY  
C. B. (BOB) PATTERSON  
JAMES E. ARNOLD

Aldermen voting "Nay":

MARY E. HAMILTON  
MADIES CONNER

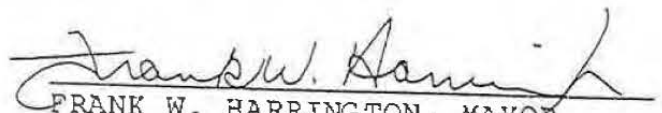
Aldermen Absent:

NONE

Aldermen Abstaining:

NONE

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted this, the 21st day of April, 1992.

  
FRANK W. HARRINGTON, MAYOR  
CITY OF ABERDEEN, MISSISSIPPI

ATTEST:

  
HERSHEL WILLIAMS, CITY CLERK

(MUNICIPAL SEAL)

AN ORDINANCE AMENDING SECTION EIGHT OF AN ORDINANCE  
ADOPTING PROPER RULES AND REGULATIONS AS TO THE  
TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION,  
RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN  
ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY  
WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 8 thereof provides for the regulation of the sale by retail outlets other than restaurants and clubs of beer and/or light wine in quantities less than a six pack or quart bottle;

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines be permitted in commercially bound quantities of less than a six pack if so packaged, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out hereinbelow.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and

recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 8. It shall be unlawful for all businesses or entities licensed pursuant to this Ordinance, with the exceptions of restaurants and clubs, defined hereinabove, to sell wine and beer in a quantity less than a four pack or a quart bottle. It shall further be unlawful for restaurants and clubs, defined hereinabove, licensed pursuant to this Ordinance, to sell beer in a quantity of less than a four pack or a quart bottle unless the said beer or wine is consumed on the premises of said restaurant or club.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

Aldermen voting "Yea":

James E. Arnold  
Madies Conner  
Wilchie Clay  
C. B. (Bob) Patterson

Aldermen voting "Nay":

Mary E. Hamilton

Aldermen Absent:

None.

Aldermen Abstaining:

None.

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

Aldermen voting "Yea":

C. B. (Bob) Patterson  
Madies Conner  
Wilchie Clay  
James E. Arnold

Aldermen voting "Nay":

Mary E. Hamilton

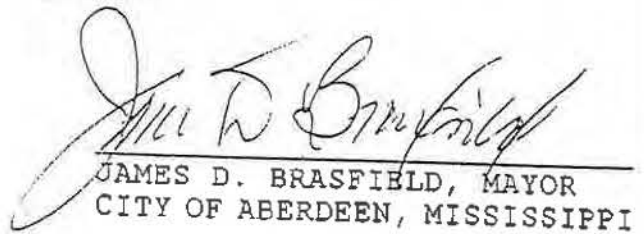
Aldermen Absent:

None.

Aldermen Abstaining:

None.

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted this, the 3rd day of August, 1993.

  
JAMES D. BRASFIELD, MAYOR  
CITY OF ABERDEEN, MISSISSIPPI

ATTEST:

  
HERSHEL WILLIAMS, CITY CLERK

AN ORDINANCE AMENDING THE ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI BY CREATING A NEW SECTION 32 OF SAID ORDINANCE

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, provides for the regulations of the sale of beer and/or light wine within the City of Aberdeen, Mississippi; and

WHEREAS, it is necessary and convenient for the proper regulation of wine and beer that the sale of beer within close proximity of schools be restricted, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 32: No alcoholic beverages shall be sold within one hundred and ten (110) feet of a school as same is measured from the nearest point of a building to the nearest point of a school building during the hours of 7:00 o'clock a.m. through 5:00 o'clock p.m. Monday through Friday, during the school year as same is defined by the Aberdeen Municipal School District.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

DEMENT-MERIDIAN

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA": Wilchie Clay, Mary E. Hamilton,  
C.B. Patterson, James E. Arnold,  
Madies Conner

ALDERMEN VOTING "NAY": None

ALDERMEN ABSENT: None

ALDERMEN ABSTAINING: None

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

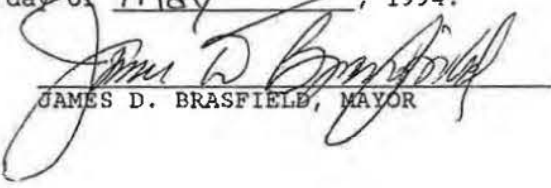
ALDERMAN VOTING "YEA": Wilchie Clay, Mary E. Hamilton,  
C.B. Patterson, James E. Arnold,  
Madies Conner

ALDERMEN VOTING "NAY": None

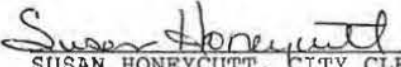
ALDERMEN ABSENT: None

ALDERMEN ABSTAINING: None

THEREUPON, the Mayor declared said Ordinance approved, passed and adopted, this, the 17<sup>th</sup> day of May, 1994.

  
JAMES D. BRASFIELD, MAYOR

ATTEST:

  
SUSAN HONEYCUTT, CITY CLERK

Proof of Publication

STATE OF MISSISSIPPI  
COUNTY OF MONROE

Before the undersigned, a Notary Public in  
and for said state and county, Barbara Harrington  
editor, publisher, clerk and/or manager of THE ABERDEEN EX-  
AMINER, a newspaper published in Aberdeen, in said county and  
state makes oath that the Ordinance 5007

of which the article hereunto attached is a true copy, was publish-  
ed in said newspaper as follows:

- Volume 128, No. 22, Dated June 1 1994
- Volume 128, No. 23, Dated June 8 1994
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_ 19 \_\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_ 19 \_\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_ 19 \_\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_ 19 \_\_\_\_\_

And I hereby certify that the issues above mentioned have been  
examined by me, and I find the publication thereof to have been  
duly made, and that The Aberdeen Examiner has been established,  
published and had a bonafide circulation in said town, county and  
state for more than one year next preceding the first insertion of  
the article described herein.

Barbara Harrington  
Editor, Publisher, Clerk and/or Manager

Sworn to and subscribed before me, this 8th day of  
June, 1994.

Benny Anderson  
Notary Public

(SEAL)

My Commission Expires January 6, 1996  
My Commission expires \_\_\_\_\_

Cost of Publication  
\$ 68.21

AN ORDINANCE AMENDING THE ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI BY CREATING A NEW SECTION 32 OF SAID ORDINANCE.

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, provides for the regulations of the sale of beer and/or light wine within the City of Aberdeen, Mississippi; and

WHEREAS, it is necessary and convenient for the proper regulation of wine and beer that the sale of beer within close proximity of schools be restricted, and the Board of Aldermen of the City of Aberdeen, Mississippi, finds that said Ordinance should necessarily be amended as set out herein below.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI" adopted February 26, 1980, and recorded in Ordinance Book 3, at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

SECTION 32: No alcoholic beverages shall be sold within one hundred and ten (110) feet of a school as same is measured from the nearest point of a building to the nearest point of a school building during the hours of 7:00 o'clock a.m. through 5:00 o'clock p.m., Monday through Friday, during the school year as same is defined by the Aberdeen Municipal School District.

That other than the aforesaid amendment, the Ordinance as set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA":  
Wilchie Clay, Mary E. Hamilton, C.B. Patterson, James E. Arnold, Madies Conner

ALDERMEN VOTING "NAY":  
None

ALDERMEN ABSENT: None

ALDERMEN ABSTAINING: None

WHEREUPON, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

ALDERMAN VOTING "YEA":  
Wilchie Clay, Mary E. Hamilton, C.B. Patterson, James E. Arnold, Madies Conner

ALDERMEN VOTING "NAY":  
None

ALDERMEN ABSENT: None

ALDERMEN ABSTAINING: None

WHEREUPON, the Mayor declared said Ordinance approved, passed and adopted, this, the 17th day of May, 1994.

JAMES D. BRASFIELD,  
MAYOR

ATTEST:  
SUSAN HONEYCUTT, CITY CLERK  
Publish June 1 & 8, 1994.



AN ORDINANCE AMENDING SECTION ONE OF AN ORDINANCE  
ADOPTING PROPER RULES AND REGULATIONS  
AS TO THE TRANSPORTATION, STORAGE, SALE,  
DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE  
OF WINE AND BEER OF AN ALCOHOLIC CONTENT  
OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT  
IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

---

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401, and as amended on June 17, 1986, and on February 3, 1987, and recorded in Ordinance Book 3 at pages 434 and 436, of the official records of Monroe County, Mississippi, provides for the regulation and permitting of premises on which beer and/or light wine may be stored kept, sold, etc.; and

WHEREAS, it is necessary and convenient for the proper regulation of the sale of wine and beer, and for the safety and public welfare of the City of Aberdeen, that said Ordinance should be amended as set out below.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. That Section 1 of the ordinance styled "An Ordinance Adopting Proper Rules and Regulations as to the transportation, Storage, Sale, Distribution, Possession, receipt and/or Manufacture of Wine and Beer of an Alcoholic Content of Not More Than Four Per Centum by Weight in the City of Aberdeen, Monroe County, Mississippi" adopted February 26, 1980, and amended June 17, 1986, and February 3, 1987, and June 6, 1987, as recorded in ordinance Book 3 at pages 401, 434 and 436 of the official records of the City of Aberdeen, Monroe County, Mississippi, be and the same is amended to include the following:

SECTION 1. It shall be unlawful for any individual, partnership, association, corporation or business entity of any description or nature whatsoever, to sell, to offer for sale, or

without having first obtained a valid permit from the Board of Aldermen of the City of Aberdeen, Monroe County, Mississippi, authorizing the sale of beer, wine, or alcoholic beverages as contemplated herein. Likewise, it shall be unlawful to consume, or possess any wine, beer or alcoholic beverage in any public place except in an entity or premises licensed under this Ordinance. Further, no beer shall be possessed on the premises of a holder of a permit authorizing the sale of such beverages unless the beer is delivered to the premises by a licensed wholesale distributor. Further, each and every holder of a permit authorizing the sale of such beverages shall have a working telephone on the premises licensed to sell such beverages. Any violation of this Section shall be considered a misdemeanor, and upon conviction for the violation of this Section, the said offender shall be punished as and for a misdemeanor offense under the laws of the State of Mississippi.

3. That other than the aforesaid amendment, the Ordinance and all prior amendments set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded. This amended Ordinance shall take effect and be in force thirty (30) days from the date of publication as aforesaid in the Aberdeen Examiner.

The above and foregoing Ordinance, having been first reduced to writing, was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA":

James E. Arnold, Madley Conner, Mary E. Hamilton, C. B. (Bob) Patterson

ALDERMEN VOTING "NAY":

Wilchie Clay

ALDERMEN ABSENT:

None

ALDERMEN ABSTAINING: None

Whereupon, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

ALDERMEN VOTING "NAY":

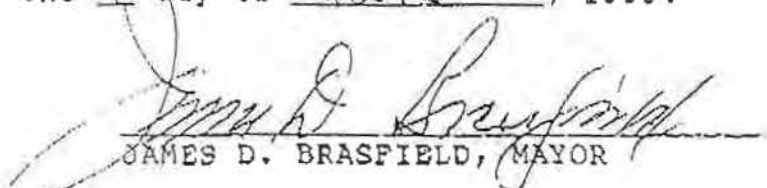
Wilchie Clay

ALDERMEN ABSENT:

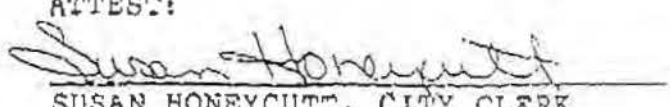
None

ALDERMEN ABSTAINING: None

Thereupon, the Mayor declared said ordinance approved,  
passed and adopted, this the 4 day of June, 1995.

  
JAMES D. BRASFIELD, MAYOR

ATTEST:

  
SUSAN HONEYCUTT, CITY CLERK

Proof of Publication

STATE OF MISSISSIPPI  
COUNTY OF MONROE

Before the undersigned, a Notary Public in  
and for said state and county, Barbara Herrington  
editor, publisher, clerk and/or manager of THE ABERDEEN EX-  
AMINER, a newspaper published in Aberdeen, in said county and

state makes oath that the Ordinance  
Amending an Ordinance

of which the article hereunto attached is a true copy, was publish-  
ed in said newspaper as follows:

- Volume 129, No. 40, Dated Oct. 4, 1995
- Volume 129, No. 41, Dated Oct. 11, 1995
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_, 19\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_, 19\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_, 19\_\_\_\_
- Volume \_\_\_\_\_, No. \_\_\_\_\_, Dated \_\_\_\_\_, 19\_\_\_\_

And I hereby certify that the issues above mentioned have been  
examined by me, and I find the publication thereof to have been  
duly made, and that The Aberdeen Examiner has been established,  
published and had a bonafide circulation in said town, county and  
state for more than one year next preceding the first insertion of  
the article described herein.

Barbara Herrington  
Editor, Publisher, Clerk and/or Manager

Sworn to and subscribed before me, this 15th day of  
October, 1995.

Benny Burleson  
Notary Public

(SEAL)

My Commission Expires January 6, 1998

My Commission expires \_\_\_\_\_

Cost of Publication  
\$ 105.65

AN ORDINANCE AMENDING SECTION ONE OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, receipt, possession, and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401, as amended on June 17, 1986, and on February 3, 1987, and recorded in Ordinance Book 3 at pages 434 and 436, and as amended on June 6, 1995, and recorded in Ordinance Book 3 at page 510 of the official records of Monroe County, Mississippi, provides for the regulation and permitting of premises on which beer and/or light wine may be stored, kept, sold, etc.; and

WHEREAS, it is necessary and convenient for the proper regulation of the sale of wine and beer, and for the safety and public welfare of the City of Aberdeen, that said Ordinance should be amended as set out below.

NOW THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. That Section 1 of the ordinance styled "An Ordinance Adopting Proper Rules and Regulations as to the transportation, Storage, Sale, Distribution, Possession, receipt and/or Manufacture of Wine and Beer of an Alcoholic Content of Not More Than Four Per Centum by Weight in the City of Aberdeen, Monroe County, Mississippi" adopted February 26, 1980, and amended June 17, 1986, and February 3, 1987, as recorded in Ordinance Book 3 at pages 401, 434 and 436, and as amended on June 6, 1995 and recorded in Ordinance Book 3 at page 510 of the official records of the City of Aberdeen, Monroe County, Mississippi, be and the same is amended to include the following:

SECTION 1. It shall be unlawful for any individual, partnership, association, corporation or business entity of any description or nature whatsoever, to sell, to offer for sale, or to have in its possession for the purposes of sale, any wine, beer, or alcoholic beverages as regulated by this ordinance without having first obtained a valid permit from the Board of Aldermen of the City of Aberdeen, Monroe County, Mississippi, authorizing the sale of beer, wine, or alcoholic beverages as contemplated herein. Likewise, it shall be unlawful to consume, or possess any wine, beer or alcoholic beverage in any public place except in an entity or premises licensed under this Ordinance. This provision shall not apply to any social gathering that is private, such as a family reunion or class reunion, and does not charge any sort of fee or expense of any kind, including, but not limited to an admission fee. This provision applies only to commercial establishments that directly or indirectly generate monies from the sale or consumption of any wine, beer or alcoholic beverages. Further, no beer shall be possessed on the premises of a holder of a permit authorizing the sale of such beverages unless the beer is delivered to the premises by a licensed wholesale distributor. Further, each and every holder of a permit authorizing the sale of such beverages shall have a working telephone on the premises licensed to sell such beverages. Any violation of this Section shall be considered a misdemeanor, and upon conviction for the violation of this Section, the said offender shall be punished as and for a misdemeanor offense under the laws of the State of Mississippi.

3. That other than the aforesaid amendment, the Ordinance and all prior amendments set out hereinabove and described herein shall remain otherwise in full force and effect as duly recorded. This amended Ordinance shall take effect and be in force thirty (30) days from the date of publication as aforesaid in the Aberdeen Examiner.

The above and foregoing Ordinance, having been first reduced to writing, was read and considered section by section, each of said sections being adopted by the following vote, to-wit:

ALDERMEN VOTING "YEA":  
WILCHIE CLAY, MADIES CONNER, C.B. (BOB) PATTERSON.  
ALDERMEN VOTING "NAY":  
JAMES E. ARNOLD, MARY E. HAMILTON.  
ALDERMEN ABSENT: NONE  
ALDERMEN ABSTAINING: NONE

Whereupon, said Ordinance was put to a vote upon its final passage as a whole and the same was passed as read, with the following vote, to-wit:

ALDERMEN VOTING "YEA":  
WILCHIE CLAY, MADIES CONNER, C.B. (BOB) PATTERSON.  
ALDERMEN VOTING "NAY":  
JAMES E. ARNOLD, MARY E. HAMILTON.  
ALDERMEN ABSENT: NONE  
ALDERMEN ABSTAINING: NONE

Thereupon, the Mayor declared said ordinance approved, passed and adopted, this the 5TH day of September, 1995.

JAMES D. BRASFIELD, MAYOR  
ATTEST:  
SUSAN HONEYCUTT, CITY CLERK  
Publish Oct. 4 & 11, 1995

AN ORDINANCE AMENDING SECTION SEVEN OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI

WHEREAS, by an election held in the City of Aberdeen, Mississippi, on the 8<sup>th</sup> day of September, 1970, under the provisions of Section 10208, Mississippi Code of 1942, as amended (currently Section 67-3-9, Mississippi Code of 1972, as amended), and accepted, ratified and approved by the Mayor and Board of Aldermen of the City of Aberdeen on the 22<sup>nd</sup> day of September 1970, the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight was made lawful and permitted in the said corporate limits of the City of Aberdeen, Monroe County, Mississippi; and

WHEREAS, the Mayor and Board are authorized under the provisions of Section 67-3-65, Mississippi Code of 1972, as amended, and under its general police powers, to prescribe and enforce reasonable and proper rules and regulations to control the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, as well as, to set zones and territories, prescribe the hours of opening and closing of establishments licensed pursuant to this Ordinance, to regulate the advertising and the display of such wine and beer, and for such other measures as will promote the public and general welfare of the citizens of the City of Aberdeen, as this Mayor and Board may order to be applicable to the territory inside the municipal corporate limits of the said the City of Aberdeen, Monroe County, Mississippi.

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including Sundays; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines on Sundays between the hours of 1:00 p.m. until 7:00 p.m. be permitted, and the Mayor and Board of Aldermen find that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3 at page 401, of the official records of the City of Aberdeen, Mississippi, and SECTION 7 of said

Ordinance subsequently amended on October 15, 1991 and April 21, 1992, be and the same hereby is amended as follows, to-wit:

SECTION 7. No wine or beer regulated pursuant to this Ordinance shall be sold, given, or dispensed, or permitted to be consumed in or upon licensed premises during the days Monday through Saturday between the hours of midnight and 7:00 a.m. the following morning. Wine and beer regulated pursuant to this Ordinance is permitted to be sold and consumed in or upon a licensed premises on Sunday from 1:00 p.m. until 7:00 p.m. It is permissible to sell and consume wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

That other than the aforesaid amendment, the Ordinance with its prior amendments shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, and said Ordinance was put to a vote upon its final passage as a whole, and the same was passed as read, with the following vote, to-wit:

Aldermen voting "YEA":

Alderman Ewing  
Alderman Nichols  
Alderman Allen

Aldermen voting "NAY":

Alderman Sykes  
Alderman Garth

Aldermen absent or not voting:

None

THEREUPON, the Mayor declared said Ordinance approved, passed, and

adopted this 18 day of August, 2009.



Jackie Benson  
Jackie Benson, City Clerk

Jim Ballard  
Jim Ballard, Mayor



DEMENT-MISSISSIPPI 67-1985

**AN ORDINANCE AMENDING SECTION SEVEN OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI**

WHEREAS, by an election held in the City of Aberdeen, Mississippi, on the 8th day of September, 1970, under the provisions of Section 10208, Mississippi Code of 1942, as amended (currently Section 67-3-9, Mississippi Code of 1972, as amended), and accepted, ratified and approved by the Mayor and Board of Aldermen of the City of Aberdeen on the 22nd day of September 1970, the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight was made lawful and permitted in the said corporate limits of the City of Aberdeen, Monroe County, Mississippi; and

WHEREAS, the Mayor and Board are authorized under the provisions of Section 67-3-65, Mississippi Code of 1972, as amended, and under its general police powers, to prescribe and enforce reasonable and proper rules and regulations to control the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, as well as, to set zones and territories, prescribe the hours of opening and closing of establishments licensed pursuant to this Ordinance, to regulate the advertising and the display of such wine and beer, and for such other measures as will promote the public and general welfare of the citizens of the City of Aberdeen, as this Mayor and Board may order to be applicable to the territory inside the municipal corporate limits of the said the City of Aberdeen, Monroe County, Mississippi.

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including Sundays; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines on Sundays between the hours of 7:00 a.m. until 12:00 a.m. be permitted, and the Mayor and Board of Aldermen find that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3 at page 401, of the official records of the City of Aberdeen, Mississippi, and SECTION 7 of said

Ordinance subsequently amended on October 15, 1991 and April 21, 1992, be and the same hereby is amended as follows, to-wit:

SECTION 7. No wine or beer of an alcoholic content pursuant to this Ordinance shall be sold, given, or dispensed, or permitted to be consumed in or upon licensed premises during the days Monday through Sunday between the hours of midnight and 7:00 a.m. the following morning. The law provides that the alcoholic content of malt beverages shall not exceed 5% by weight through June 30, 2012 and 8% by weight effective July 1, 2012. The alcoholic content of light wine shall not exceed 5% by weight. No statement may be shown on any label to indicate that the alcoholic content of the product contained therein exceeds the maximum allowable for malt beverage or light wine products respectively. However, beginning July 1, 2012, the alcoholic content may be stated by volume, (maximum alcohol content not to exceed 10.1% by volume for malt beverage products and 6.25 % by volume for light wine products). Malt beverages of alcohol content exceeding 5% by weight may not be stored in Mississippi prior to July 1, 2012. It is permissible to sell and consume wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

- Special events permit for light wine and beer. The sale, distribution, bartering, consumption, and away of light wine and beer may be allowed at events and activities, by the owner or by lease to a person or entity obtaining a special events permit and conducting the sale, distribution, bartering, consumption and giving away of light wine and beer according to the terms of such permit. A permit for an event that allows sale, distribution, bartering, consumption and giving away of light wine and beer shall not issue unless the person or entity requesting the permit has satisfied the following conditions:

- (1) Has a valid beer permit from the State of Mississippi if beer is to be sold;
- (2) a. Is a 501(c)(3) charitable organization or a bona fide not for profit organization; or  
b. An individual, group or business who has obtained a rental agreement from the property owner/City of Aberdeen for the use the property for an event.
- (3) Has filed written application with the Office of the City Clerk setting out the time, place and duration of the event, including a description of the property to be included in the permitted area;
- (4) Has paid a special events permit fee of twenty-five (\$25.00), plus a deposit of One Hundred Dollars (\$100.00) in the event the cleanup after the event is unsatisfactory. The deposit shall be refunded if clean-up is adequate and does not require additional clean up by city personnel;
- (5) Has submitted an adequate, written plan for security which is approved by the City to be sufficient for the size of the event, a plan for preventing anyone leaving the permitted area from taking beverages outside the permitted area and a plan for cleaning up after the event, including the name of the person in charge of the cleanup.
- (6) Has determined that the time and date of the event for which the permit is requested does not conflict with other previously scheduled events. The application for the permit must be received in the City Clerk's Office not less than twenty (20) business days prior to the proposed event for the Board of Aldermen approval. No such event held shall allow the sale, distribution, bartering, consumption or giving away of light wine or beer on more than three (3) consecutive days, and the city board shall not be obligated to issue special event permits to any person or entity, or combinations and variations thereof, more than once in a twelve (12) month period. The City may deny a special events permit to any person or group not meeting the criteria set forth above or any person or group which has failed to comply with these provisions, the conditions of the permit and/or the reasonable rules and regulations of the city.

EMENT—MEDIAN 07-1655

That other than the aforesaid amendment, the Ordinance with its prior amendments shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, and said Ordinance was put to a vote upon its final passage as a whole, and the same was passed as read, with the following vote, to-wit:

Aldermen voting "YEA":	Alderman Clay
	Alderman Burroughs
	Alderman Irvin
Aldermen voting "NAY":	Alderman Sykes
	Alderman Allen
Aldermen absent or not voting:	None

THEREUPON, the Mayor declared said Ordinance approved, passed, and adopted this 15th day of May, 2012.

*Cecil Belle*  
Cecil Belle, Mayor

ATTEST:

*Jackie Benson*

Jackie Benson, City Clerk



**AN ORDINANCE AMENDING AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI**

WHEREAS, by an election held in the City of Aberdeen, Mississippi, on the 8th day of September, 1970, under the provisions of Section 10208, Mississippi Code of 1942, as amended (currently Section 67-3-9, Mississippi Code of 1972, as amended), and accepted, ratified and approved by the Mayor and Board of Aldermen of the City of Aberdeen on the 22nd day of September 1970, the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight was made lawful and permitted in the said corporate limits of the City of Aberdeen, Monroe County, Mississippi; and

WHEREAS, the Mayor and Board are authorized under the provisions of Section 67-3-65, Mississippi Code of 1972, as amended, and under its general police powers, to prescribe and enforce reasonable and proper rules and regulations to control the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, as well as, to set zones and territories, prescribe the hours of opening and closing of establishments licensed pursuant to this Ordinance, to regulate the advertising and the display of such wine and beer, and for such other measures as will promote the public and general welfare of the citizens of the City of Aberdeen, as this Mayor and Board may order to be applicable to the territory inside the municipal corporate limits of the said the City of Aberdeen, Monroe County, Mississippi.

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including Sundays; and

WHEREAS, it is necessary and convenient for the proper regulation of licensed businesses serving alcoholic beverages to adjust the hours of operation in order to promote a safe and lawful environment for the citizens of Aberdeen, and the Mayor and Board of Aldermen find that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3 at page 401, of the official records of the City of Aberdeen, Mississippi, be and the same hereby is amended as follows, to-wit:

**SECTION 8.**

ALL ESTABLISHMENTS LICENSED AND PERMITTED TO SERVE, DISPENSE, OR ALLOW TO BE SERVED ANY ALOCOHOLIC BEVERAGE OF ANY KIND SHALL CLOSE BY 1:00 A.M. EACH AND ANY DAY IT IS OPEN PURSUANT TO MISSISSIPPI LAW AND

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CITY ORDINANCES. ALL PATRONS MUST EXIT THE BUILDING BY THIS TIME WITH ONLY STAFF MEMBERS OR OTHER HIRED INDIVIDUALS LEFT FOR CLEANUP OF SAID PREMISES. THIS AMENDMENT APPLIES TO CLUBS, NIGHTCLUBS, RESTAURANTS, AND RESTAURANT/BARS, INCLUDING BRING YOUR OWN BOTTLE "BYOB" ESTABLISHMENTS. THIS AMENDMENT SHALL BECOME EFFECTIVE THIRTY (30) DAYS AFTER PUBLICATION.

The penalty, for violation of this Ordinance shall be no more than \$1000.00 in fines and no more than six (6) months imprisonment.

That other than the aforesaid amendment, the Ordinance with its prior amendments shall remain otherwise in full force and effect as duly recorded. Furthermore, all existing zoning rules, regulations and/or ordinances shall remain in effect and apply to any of the establishments sited in this amendment.

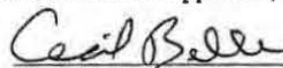
The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, and said Ordinance was put to a vote upon its final passage as a whole, and the same was passed as read, with the following vote, to-wit:


Aldermen voting "YEA":

Aldermen voting "NAY":

Aldermen absent or not voting: None

THEREUPON, the Mayor declared said Ordinance approved, passed, and adopted this 15th day of December, 2015

  
Cecil Belle, Mayor

ATTEST  
  
Jackie Benson, City Clerk