

ORDINANCE NO. 899 (19)

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MOORE, OKLAHOMA AMENDING SECTIONS 116 AND 117 OF PART 3, CHAPTER 1, OF THE MOORE MUNICIPAL CODE TO UPDATE HOURS OF OPERATION FOR THE SALE OF INTOXICATING ALCOHOL AND THE DAYS THAT IT MAY BE SOLD; PROVIDING A PENALTY; PROVIDING FOR REPEALER AND PROVIDING FOR SEVERABILITY THEREOF.

ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOORE, OKLAHOMA

Section 3-116 – Hours of operation.

- (a) No package store licensee shall sell or keep a package store premises open for the purpose of selling any alcoholic beverages at any hour other than between the hours of 8:00 a.m. and midnight, Monday through Saturday, and shall not be open on Thanksgiving Day or Christmas Day. Package Store Licensees shall be permitted to sell alcoholic beverages on the day of any General, Primary, Runoff Primary or Special Election whether on a national, state, county or city election, provided that the election day does not occur on any day on which such sales are otherwise prohibited by law.
- (b) No holder of a Retail Wine License or a Retail Beer License shall sell any beer or wine other than between the hours of 6:00 am and 2:00 am the following day, Monday through Sunday. Retail wine and retail beer licensees shall be permitted to sell beer and wine on the day of any General, Primary, Runoff Primary or Special Election whether on a national, state, county, or city election.
- (c) No alcoholic beverages may be sold, dispensed, served or consumed on the premises of a mixed drink beverage licensee or bottle club between the hours of 2:00 a.m. and 8:00 a.m. No licensee shall permit any person, who has in his possession an open container, having as its contents an intoxicating alcoholic beverage, to remain in a mixed beverage establishment between the hours of 2:15 a.m. to 8:00 a.m. No person, having in his possession an open container, having as its contents an intoxicating alcoholic beverage, shall remain in a mixed beverage establishment between the hours of 2:15 a.m. to 8:00 a.m. For the purpose of this section, an open container shall mean any receptacle containing low-point beer or intoxicating alcoholic beverage, to include the original container of the beverage where the original seal has been broken or opened.
- (d) Any person selling or keeping a package store open to sell any alcoholic beverage during any day or hours not authorized, and any person selling or permitting the sale of alcoholic beverages at a grocery store, convenience store or drug store during any day

or hours not authorized shall be guilty of a misdemeanor for first violation and upon a conviction shall be fined not more than Five Hundred dollars (\$500.00).

Section. 3-117 – Sale or delivery prohibited on certain days.

No wine or spirits wholesaler licensee shall sell or deliver, and no wine or spirits retail licensee shall receive any amount of spirits or wines to any licensee on Sunday or on New Year's Day, the Fourth of July, Thanksgiving Day or Christmas Day.

REPEALER,

Any ordinance or parts thereof in conflict with this section are hereby repealed.

SEVERABILITY,

If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

PASSED AND APPROVED THIS 4th DAY OF March, 2019.



Glenn Lewis
GLENN LEWIS, Mayor

Vanessa Kemp
VANESSA KEMP, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Randy C. Brink
RANDY C. BRINK, City Attorney