

## ORDINANCE 2010 - 06

### **AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS RELATED TO THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN "LATE HOURS," AMENDING ORDINANCE 1999-02, AS CODIFIED AT CHAPTER 4, SECTION 4.04.005 (C) AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City Commission approved Ordinance 1999-02 on April 22, 1999, which permitted persons or entities in the City of La Feria which are licensed to sell alcoholic beverages for on-premises consumption to operate certain "late hours" sales of alcoholic beverages conditioned upon obtaining a Specific Use Permit for such late hours sale;

**WHEREAS**, a Retail Dealer's On-Premise Late Hours License issued by the Texas Alcoholic Beverage Commission, permits a person or entity to sell alcoholic beverages until 2:00 a.m. seven days per week;

**WHEREAS**, the City Commission believes that the process and criteria established by the City's Zoning Ordinance for the issuance of a Specific Use Permit provide proper and sufficient guidance for the consideration of a person or entity's private business interests and the community's general public interest with regard to late hour sales of alcoholic beverages; and,

**WHEREAS**, City Commission desires to be empowered to consider, and authorized to issue, on a case-by-case basis, a City of La Feria "late hours" Specific Use Permit allowing the sale of alcoholic beverages for on-premises consumption until 2:00 a.m., consistent with the hours allowed by Texas Alcoholic Beverage Commission,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION  
OF THE CITY OF LA FERIA, TEXAS, THAT:**

1. Section 3 of Ordinance 99-2, as codified at Chapter 4, Section 4.04.005 (c), is hereby amended to provide as follows:

A person or other entity may sell or offer for sale any alcoholic beverage for consumption on or at the premises where such alcoholic beverage is sold or offered for sale during certain "late hours," namely, on Sunday from 1:15 a.m. until not later than 2:00 a.m., and on Monday through Saturday from 12:15 a.m. until no later than 2:00 a.m., provided such person or other entity is in possession of a valid specific use permit issued by the City Commission permitting such person or other entity to sell or offer for sale alcoholic beverages for consumption on or at said premises during the "late hours" stated herein, and provided such person or other entity is also in

possession of a current Texas Alcoholic Beverage Commission Retail Dealer's On-Premises Late Hours license.

2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
3. This amendment shall take place immediately upon approval by the City Commission of the City of the La Feria.

**PASSED AND APPROVED THIS THE 8<sup>TH</sup> DAY OF JUNE, 2010.**



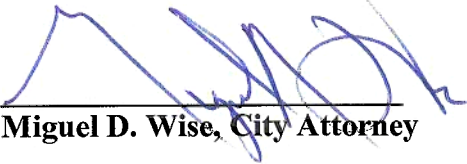
**Steve Brewer, Mayor**

**ATTEST:**



**Olga Oberwetter, City Secretary**

**APPROVED AS TO FORM:**



**Miguel D. Wise, City Attorney**