

**ORDINANCE NO. 17-05-09 B**

**AN ORDINANCE OF THE CITY OF MINEOLA, TEXAS, AMENDING ORDINANCE NO. 11-04-11, Section 3, CODIFIED IN SECTION 3-32 OF THE MINEOLA CODE OF ORDINANCES; PROVIDING SEVERABILITY; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mineola, Texas is a Type A general municipality organized and existing pursuant to the laws of Texas; and

**WHEREAS**, the City of Mineola is authorized by the Texas Alcohol and Beverage Code to pass local regulations concerning the sale and consumption of alcoholic beverages; and

**WHEREAS**, on April 11, 2011, the City Council for the City of Mineola, Texas passed Ordinance No. 11-04-11 imposing certain regulations concerning the sale and consumption of alcoholic beverages; and

**WHEREAS**, the City Council for the City of Mineola, Texas now desires to amend Ordinance No. 11-04-11 concerning the off-premise sale and consumption of alcoholic beverages.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINEOLA, TEXAS THAT:**

**I.  
AMENDMENT**

**Ordinance No. 11-04-11, Section 3, as codified in Chapter 3, Section 3-32(d) of the Mineola Code of Ordinances, is hereby amended as follows:**

"The sale of alcoholic beverages for off-premises consumption shall only be permitted by neighborhood convenience centers that derive 15% or more of their gross revenue from the sale of non-alcoholic products and products not subject to motor fuel tax and restaurants and/or hotels/motels holding a food and beverage certificate and a beer and wine retailer's permit and the revenue from the sale of said alcoholic beverages shall be less than 50% of their gross revenue.

**II.  
SEVERABILITY**

Should any clause, phrase, sentence or section of this Ordinance be declared illegal, unconstitutional or invalid by a court of competent jurisdiction, said findings shall not affect the remaining sentences, clauses, sections or provisions of this Ordinance.

**III.  
REPEALER**

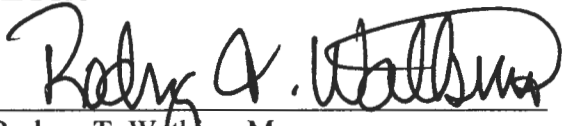
Any ordinance, resolution, motion or order of the Mineola City Council in conflict with this Ordinance is hereby repealed to the extent of any such conflict.

**IV.  
EFFECTIVE DATE**


This Ordinance shall become effective immediately upon its passage and approval.

9<sup>th</sup> **PASSED AND APPROVED** by the City Council of the City of Mineola, Texas, this day of May, 2017.

**APPROVED BY:**

  
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Rodney T. Watkins, Mayor

**ATTEST:**

  
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Cindy Karch, City of Mineola, Texas  
City Secretary