

INTRODUCED BY: **[Council Members Present / Council as a Whole]**

**AN ORDINANCE AMENDING CERTAIN SECTIONS WITHIN DIVISION 2 OF ARTICLE II OF CHAPTER 4 OF THE CODE OF ORDINANCES FOR THE CITY OF FERGUSON, RELATING TO THE REGULATION AND ISSUANCE OF LICENSES FOR THE SALE OF INTOXICATING LIQUOR IN THE CITY OF FERGUSON.**

WHEREAS, the regulation of licenses for the sale of intoxicating liquor in the City of Ferguson represents a matter of public health and safety properly subject to municipal regulation; and

WHEREAS, the City desires to amend its Code of Ordinances for the purpose of regulating businesses within the City of Ferguson;

**THEREFORE, LET IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF FERGUSON, MISSOURI, AS FOLLOWS:**

**SECTION 1.** Section 4-35 of Division 2 of Article II of Chapter 4 of the Code of Ordinances of the City of Ferguson is hereby amended to read as follows:

**Sec. 4-35. - Renewal.**

The council may renew the license granted under this article from year to year thereafter if such business has been continuously engaged in since the granting of the preceding license for the location, provided that the licensee has maintained an orderly place of business, has abided by the laws of the city as they apply to the place of business of the licensee, and that the licensee continues to maintain all of the qualifications of a licensee required for the issuance of a license. No renewal license shall be issued to any licensee who shall owe any taxes, licenses, fees, fines or penalties to the city, and same shall be withheld until all such tax, licenses, fees, fines or penalties are paid in full in cash, cashier's or certified check. No renewal license shall be issued to any licensee operating on a premises for which property taxes are delinquent, regardless of whether the licensee owns the premises. **It shall be the responsibility of the city clerk to verify that property taxes are paid. In the event they are delinquent, the city clerk shall send notice that taxes are due, and that this ordinance prohibits the renewal of the liquor license until said taxes are paid, by certified mail, to both the licensee and, if the property is not owned by the licensee, to the property owner, within 3 business days of application for renewal.** The renewal of a license is a privilege and is discretionary with the council and shall not issue as a matter of right.

**SECTION 2.** Section 4-51 of Division 2 of Article II of Chapter 4 of the Code of Ordinances of the City of Ferguson is hereby amended to read as follows:

In addition to the qualifications required in section 4-27, no person shall be granted a license for the sale of intoxicating liquor in the original package for off-premises consumption unless he is engaged in the operation of one (1) or more of the following business at the time of the application and no other:

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

- (1) Drug store;
- (2) Cigar and tobacco store;
- (3) Grocery store;
- (4) Confectionery or delicatessen;
- (5) General merchandise store;

All of which must have, and be kept in such stores, a stock of goods for sale, exclusive of liquor and fixtures, having a value, according to recent purchase invoice of at least ~~one~~ **ten** thousand dollars (~~(\$1,000.00)~~ **(\$10,000)**, **and that cigarettes, cigars, other tobacco products, and drug paraphernalia, shall be valued at half the invoice cost for the purpose of this ordinance.**

**SECTION 2.** Those provisions or terms or definitions contained within the affected sections and which are not specifically set forth are not amended or altered in any way and remain in full force and effect.

**SECTION 3.** In conformity with the provisions of said Code, the City Clerk shall cause appropriate copies to be made hereof and shall insert such copies in each edition of said Code.

**SECTION 4.** All ordinances and parts of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

**SECTION 5.** This Ordinance shall be in full force and effect from and after the date of its passage and approval.

**FIRST READING:** \_\_\_\_\_ **SECOND READING:** \_\_\_\_\_

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FERGUSON, MISSOURI, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

ATTEST:

\_\_\_\_\_  
Octavia Pittman, City Clerk

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Ella M. Jones, Mayor