

Chapter 3 ALCOHOLIC BEVERAGES*

***State law references:** Hours of sale of certain beverages, V.T.C.A., Alcoholic Beverage Code §§ 105.03--105.05.

[Sec. 3-1. Definitions.](#)

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Sec. 3-1. Definitions.

All terms and words in this chapter shall have the same meaning and usage as provided in the Texas Alcoholic Beverage Code, as amended.

Sec. 3-2. Late hours permit times for the sale and delivery of alcoholic beverages.

For the sale, offer to sell, and delivery of beer by a holder of a retail dealer's on-premises late hours license, for the sale and delivery of alcoholic beverages sold under a wine and beer retailer's permit or a wine and beer retailer's off-premises permit, and for the sale of mixed beverages and the offer to sell them by a holder of a mixed beverages late hours permit, the hours are hereby extended to include the hours between midnight and 2:00 a.m. on any day. (Ord. No. 669, § 2, 11-1-1990; Code 1983, § 3-1)

Sec. 3-3. Violations; penalties.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine in a sum not to exceed \$1,000.00 for each offense and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. (Ord. No. 669, § 5, 11-1-1990; Code 1983, § 3-2)

Sec. 3-4. Local fee authorized.

(a) In accordance with Section 11.38 of the Texas Alcoholic Beverage Code, there is hereby assessed a local fee for alcoholic beverage permit holders. Such fee shall not exceed one-half of the state fee for each permit issued for premises located within the city.

(b) Fees shall be assessed in accordance with Section 11.38 of the Texas Alcoholic Beverage Code as follows:

(1) *New permit applicants.* The fee shall be collected at the time the permit application is certified in the office of the city secretary.

(2) *Permit renewal applicants.* The fee shall be collected by the city secretary at the time the permit is renewed.

(3) This section shall not apply to licenses for private clubs.

(Ord. No. 719, § 1, 11-18-1991; Code 1983, § 3-3)

Sec. 3-5. Basis for enforcement; conflicts.

Provisions of this chapter shall be defined and enforced pursuant to the Texas Alcoholic Beverage Commission, except as otherwise set forth in this chapter. If there is a conflict with state law, the provision of state law shall prevail.