



City of Broken Arrow

Request for Action

File #: 18-907, Version: 1

**Broken Arrow City Council
Meeting of: 08-07-2018**

Title:

Consideration, discussion and possible preview of an Ordinance repealing Chapter 4 of the Broken Arrow Code, Article V, Low-Point Beverages, Section 4-85, Definitions; Section 4-86 Transporting low point beer in open containers; possession in public places; Section 4-87. - Retail dealer's license; Section 4-88, Sale on Sunday and during certain hours; Section 4-89, Gambling, disorderly conduct, etc., on sales premises; Section 4-90, General regulations with respect to minors; Section 4-91, Sale or delivery to minors; Section 4-92, Minors not to misrepresent age for purpose of buying; Section 4-93, Possession by minors; Section 4-94, Sale or delivery to intoxicated, insane or mentally deficient persons; Section 4-95 Permitting intoxicated persons on sales premises; Section 4-96, Suspension or revocation of license; specifically repealing all ordinances regulating low point to become in compliance with SQ 792, repealing all ordinances to the contract; and declaring an effective date of October 1, 2018

Background:

State Question 792, is modernizing Oklahoma Liquor laws, thus there are numerous changes that will need to be reflected within the City Ordinances. Specifically, Chapter 4, Alcoholic Beverages, Article V, Low-Point Beverages, shall be completely repealed since State Question 792 eliminated dual strength beer which means no matter the alcohol content, alcoholic beverages will be regulated the same by the ABLE Commission. Thus, there is no longer a distinction between low and high point beer as all beer will be regulated through the City's alcoholic beverage ordinances.

SQ792 will be in effect on October 1, 2018. Thus, the adoption date of these amendments of City Ordinances shall be October 1 ,2018.

Cost: None

Funding Source: None Source

Requested By: Trevor Dennis, Acting City Attorney

Approved By: Michael L. Spurgeon, City Manager

Attachments: Preview Ordinance

Recommendation:

Preview Ordinance and set for adoption.