

**AN ORDINANCE AMENDING SECTION SEVEN OF AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI**

WHEREAS, by an election held in the City of Aberdeen, Mississippi, on the 8<sup>th</sup> day of September, 1970, under the provisions of Section 10208, Mississippi Code of 1942, as amended (currently Section 67-3-9, Mississippi Code of 1972, as amended), and accepted, ratified and approved by the Mayor and Board of Aldermen of the City of Aberdeen on the 22<sup>nd</sup> day of September 1970, the transportation, storage, sale, distribution, receipt, possession and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight was made lawful and permitted in the said corporate limits of the City of Aberdeen, Monroe County, Mississippi; and

WHEREAS, the Mayor and Board are authorized under the provisions of Section 67-3-65, Mississippi Code of 1972, as amended, and under its general police powers, to prescribe and enforce reasonable and proper rules and regulations to control the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, as well as, to set zones and territories, prescribe the hours of opening and closing of establishments licensed pursuant to this Ordinance, to regulate the advertising and the display of such wine and beer, and for such other measures as will promote the public and general welfare of the citizens of the City of Aberdeen, as this Mayor and Board may order to be applicable to the territory inside the municipal corporate limits of the said the City of Aberdeen, Monroe County, Mississippi.

WHEREAS, the Ordinance governing the transportation, storage, sale, distribution, possession, receipt and/or manufacture of wine and beer of an alcoholic content of not more than four per centum by weight, adopted by the Mayor and Board of Aldermen of the City of Aberdeen on February 26, 1980, as recorded in Ordinance Book 3 at page 401 of the official records of said City of Aberdeen, Monroe County, Mississippi, in Section 7 thereof provides for the regulation of the sale and consumption of beer and/or light wine during certain times, including Sundays; and

WHEREAS, it is necessary and convenient for the proper regulation and promotion of business that the sale and consumption of beer and wines on Sundays between the hours of 1:00 p.m. until 7:00 p.m. be permitted, and the Mayor and Board of Aldermen find that said Ordinance should necessarily be amended as set out herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI, AS FOLLOWS, TO-WIT:

That the Ordinance styled "AN ORDINANCE ADOPTING PROPER RULES AND REGULATIONS AS TO THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, POSSESSION, RECEIPT AND/OR MANUFACTURE OF WINE AND BEER OF AN ALCOHOLIC CONTENT OF NOT MORE THAN FOUR PER CENTUM BY WEIGHT IN THE CITY OF ABERDEEN, MONROE COUNTY, MISSISSIPPI", adopted February 26, 1980, and recorded in Ordinance Book 3 at page 401, of the official records of the City of Aberdeen, Mississippi, and SECTION 7 of said Ordinance subsequently amended on October 15, 1991 and April 21, 1992, be and the same hereby is amended as follows, to-wit:

SECTION 7. No wine or beer regulated pursuant to this Ordinance shall be sold, given, or dispensed, or permitted to be consumed in or upon licensed premises during the days Monday through Saturday between the hours of midnight and 7:00 a.m. the following morning. Wine and beer regulated pursuant to this Ordinance is permitted to be sold and consumed in or upon a licensed premises on Sunday from 1:00 p.m. until 7:00 p.m. It is permissible to sell and consume wine and beer by persons or entities licensed pursuant to this Ordinance on election days.

That other than the aforesaid amendment, the Ordinance with its prior amendments shall remain otherwise in full force and effect as duly recorded.

The above and foregoing Ordinance having first been reduced to writing was read and considered section by section, and said Ordinance was put to a vote upon its final passage as a whole, and the same was passed as read, with the following vote, to-wit:

Aldermen voting "YEA":

Aldermen voting "NAY":

Aldermen absent or not voting:

**THEREUPON**, the Mayor declared said Ordinance approved, passed, and adopted this \_\_\_\_ day of August, 2009.

---

Jim Ballard, Mayor

ATTEST:

---

Jackie Benson, City Clerk