

MARANA ORDINANCE NO. 2014.021

RELATING TO BUSINESS REGULATIONS; AMENDING MARANA TOWN CODE TITLE 9 (BUSINESS REGULATIONS); DELETING PARAGRAPH B OF SECTION 9-1-3 (FEES; PAYMENT; TERM OF LICENSES; ANNUAL RENEWAL REQUIRED) RELATED TO LIQUOR LICENSE FEES; RENAMING CHAPTER 9-7 (LIQUOR LICENSE TAX) AS "LIQUOR LICENSES"; REWRITING CHAPTER 9-7; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Town is authorized by A.R.S. § 4-201 *et seq.*, to process liquor license applications, to charge fees for application processing, and to make recommendations regarding the applications to the Arizona Department of Liquor Licenses and Control; and

WHEREAS the Town Council finds that revising various provisions in Title 9 of the Marana Town Code regarding liquor licenses as set forth in this ordinance is in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Section 9-1-3 (Fees; payment; term of licenses; annual renewal required) of the Marana Town Code is hereby revised to delete paragraph B related to liquor license fees, and to re-letter the paragraphs that follow to conform.

SECTION 2. The title of Marana Town Code Chapter 9-7 is hereby renamed "Liquor Licenses."

SECTION 3. Existing Chapter 9-7 of the Marana Town Code is hereby deleted in its entirety and replaced with new Chapter 9-7, as follows:

9-7-1 Definition

For purposes of this chapter, "spirituous liquor" is defined as provided in A.R.S. § 4-101.

9-7-2 License required; classification

- A. No person shall manufacture, sell or deal in spirituous liquors within the town without first obtaining and properly maintaining in force a liquor license issued by the state under the procedures specified by state law.
- B. Violation of this section is a class 2 misdemeanor.

9-7-3 License application; fees

- A. Any person desiring a license to manufacture, sell, or deal in spirituous liquor in the town shall file an application on forms prescribed and furnished by the Arizona department of liquor licenses and control. Applications shall be processed in accordance with the procedures specified by state law.
- B. Every person filing an application under this chapter shall pay a nonrefundable application fee to the town in an amount established by a fee schedule adopted by the council and amended from time to time, except that no fee shall be charged for an application for sampling privileges. The applicable fee shall be due and payable to the town upon the town's receipt of the application.

SECTION 4. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 5. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 7. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 2nd day of September, 2014.



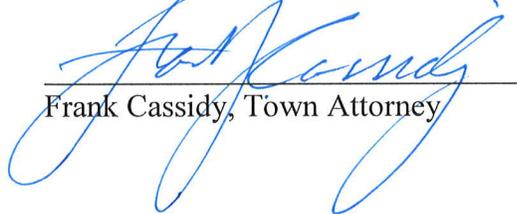
Mayor Ed Honea

ATTEST:



Jocelyn C. Bronson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney