ORDINANCE NUMBER 11-2026-09

AN ORDINANCE AMENDING ORDINANCE NUMBER 10-2014-03 DATED THE 6TH DAY OF OCTOBER, 2014 AND REPEALING ANY OTHER ORDINANCE IN CONFLICT OF THE PROVISIONS OF THIS ORDINANCE, AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA ALABAMA, AS FOLLOWS:

THAT ORDINANCE NO. 10-2014-03 is hereby enacted and amended as to Section 11 and Section 15 and shall read as follows:

Sec. 4-11. Restrictions as to sale.

(a) No sale of alcoholic beverages shall be permitted in areas within the city limits that are zoned as residential or mobile home. This includes all R zones and all T zones. **No sale of alcoholic beverages shall be allowed in an agricultural zone, except for private clubs as identified in section 4-22 and on any city owned property within an agricultural zone.** All lounges, clubs, restaurants, or places serving alcoholic beverages will abate the sale of all whiskey, wine, beer, or liquor at 2:00 a.m. These businesses may commence the sale of such beverages at 6:00 a.m., except on Sunday. No sales will be made between 2:00 a.m. Sunday and 6:00 a.m. Monday, excluding licensed private clubs.

(b) **No privilege license shall be issued for the retail sale of alcoholic beverages where the entrance of the establishment for which such license applied for is less than three hundred (300) feet from the main entrance of any free standing church building, public or private school building, YMCA building, licensed daycare facility or public playground. Such distance shall be set out and measured in a straight line.**

Sec. 4-15. Same—Reports and payment; delinquency penalty.

(a) The tax levied under the provisions of this chapter shall be due and payable in monthly installments on or before the 15th day of the month next succeeding the month in which sales are made. On or before the 15th day of each month after the tax herein provided shall take effect, every person, firm or corporation upon whom the tax is hereby levied shall render to the city, on a form prescribed by the city, a true and correct statement showing the gross receipts of whiskey, wine or liquors, etc., purchased during the preceding month; such report shall accompany payments of the tax herein levied.

(b) The city shall receive a purchasing statement from the state ABC store the first of each month. Each licensee shall have until the 15th of the month to pay these taxes.

(c) The tax imposed by section 4-14 shall be paid by each retail beer dealer to the wholesale dealer from whom the retail dealer purchases or otherwise acquires his retail stock, at the rates fixed on or before the 15th day of each month next succeeding the date of purchase by the retailer.

(d) Any person who fails to pay the tax herein levied within the time prescribed shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with the interest thereon, at the rate of 1.5 percent per month or fraction thereof, from the date on which the tax

herein levied became payable; such penalty and interest to be assessed and collected as part of the tax. **In addition, failure to pay this tax when due shall constitute grounds for revocation of any license issued under this article. If any person is delinquent for three consecutive months, they shall come before the city council and state grounds on why their city privilege license to sell alcoholic beverages should not be revoked by the city council and no license to sell alcoholic beverages shall be issued to any such person for a period of not less than six (6) months if said revocation occurs.**

The invalidity or unenforceability of any particular provision of the Ordinance shall not affect any other provision, if any clause, sentence, section or provision of this ordinance is held invalid or inoperative or unenforceable, the remainder of the ordinance shall not be affected thereby.

This ordinance shall become effective on publication.

The City Clerk is hereby directed to cause this ordinance to be published one time in the Geneva County Journal, a newspaper of general circulation in the City of Geneva, Alabama.

ADOPTED AND APPROVED on this 16th day of November, 2026.

The City of Geneva, Alabama

By: _____

David B. Hayes, Mayor

ATTEST:

_____

Lisa Johnson, City Clerk