

ORDINANCE NO. 23-907

AN ORDINANCE ESTABLISHING ENTERTAINMENT DISTRICTS WITHIN THE CITY OF CLARKSVILLE; ESTABLISHING THE STANDARDS FOR THE ENTERTAINMENT DISTRICTS; AND, FOR OTHER PURPOSES

WHEREAS, Act 874 of 2021, codified at Ark. Code Ann. §14-54-1412, authorizes cities, collecting a gross receipts tax on prepared food or hotel and motel accommodation and located in a county authorized to sell alcoholic beverages, to create a designated entertainment district in contiguous areas zoned for or customarily used for commercial purposes; and

WHEREAS, said Act also allows cities to set reasonable standards for the regulation of alcohol possession within the boundaries of said entertainment districts; and

WHEREAS, the creation of said entertainment districts is intended to promote tourism within the City, and to highlight local restaurant, nightlife, entertainment, and hospitality options; and

WHEREAS, the City Council finds that it is in the best interest of the City and its residents to create two permanent designated entertainment districts to be known as the "The Levee Entertainment District" and "The Country Club Entertainment District", subject to the regulations set forth in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, ARKANSAS, OF THE FOLLOWING:

Section 1: Creation of Entertainment Districts. That pursuant to the authority granted by Act 812 of 2019, entertainment districts to be known as the "The Levee Entertainment District" and "The Country Club Entertainment District" (hereinafter individually and collectively referred to as "District") are hereby created and established within the boundaries as set forth and designated on the maps that are attached as Exhibit A and incorporated by reference;

Section 2: Regulations. That the following regulations shall apply to and within the District:

(a) Restaurants, bars, Private Clubs within District boundaries, as well as vendors at special events within district boundaries, may serve alcoholic beverages (pursuant to all applicable laws, regulations, licensing, and permits) that may be carried out of the establishment and consumed within the designated boundaries of the District Monday – Friday between the hours of 4:00 p.m. and 10:00 p.m. and Saturday – Sunday between the hours of 10:00 a.m. and 10:00 p.m., as long as the beverage is contained in a designated District cup, which shall not exceed 16 oz. in size and shall be provided by a participating business within the District.

(b) Participating businesses within the District will be required to provide wristbands verifying that the individual has shown valid identification that they are of legal age to consume alcoholic beverages. Individuals without wristbands will not be permitted to consume alcoholic beverages outside of the establishment where the beverage was purchased. Wristbands shall include the name of the establishment that verified legal age.

(c) The boundaries of the District will be designated by signage placed on the sidewalk within the District.

(d) Waste and recycling receptacles will be placed at District boundaries and high traffic areas as needed.

(e) An informational document will be prepared showing the boundaries of the District, participating bars and restaurants, the regulation of the District, and frequently asked questions. This document will be available on the Area Chamber of Commerce and City of Clarksville websites as well as other platforms.

(f) Participating businesses shall not allow alcoholic beverages to be removed from the premises in glass containers and it shall be a violation for any person to possess alcoholic beverages in glass containers on the streets, sidewalks, rights-of-way, and parking lots located within the District.

(g) No alcoholic beverages purchased outside the District are allowed in open containers in the District.

(h) Consumption of alcoholic beverages in a motor vehicle is prohibited. It shall be unlawful for any person to consume any alcoholic beverage while in the confines of a motor vehicle that is located upon any public street, parking lot, or other place in which the public has or is permitted to have access within the District.

(i) No person shall be permitted to leave the District with an open alcoholic beverage container. All unfinished quantities of alcoholic beverages must be properly disposed of prior to the individual leaving the District.

(j) Establishments within the boundaries of the District, including those that do not serve alcoholic beverages, shall clearly indicate their participation in the District with prominently displayed window signage. No individual possessing an alcoholic beverage shall enter an establishment that does not indicate its participation in the District. By failing to display window signage indicating participation, a business within the boundaries of the District is acknowledging that it does not allow District beverages within its premises.

(k) The City of Clarksville shall create, keep, and distribute the official logos and designs for all District cups, wristbands, and signage, etc. Establishments within the boundaries of the District shall procure District cups, wristbands, and signage by coordinating with the City of Clarksville.

Section 3: Permits. Vendors of special events within the designated entertainment districts who have been authorized to serve alcohol by the Arkansas Beverage Control Division of the Department of Finance and Administration and who also wish to serve alcohol within the entertainment districts as set forth in this Ordinance shall make application to the City for a special event permit at least 60 days prior to the special event taking place within the entertainment districts and receive the approval of the City Council. The City Council shall consider the special event permit(s) during a regular or special meeting of the City Council prior to the special event taking place. Approval of a special event permit under the provisions of this Ordinance shall require a majority vote of the City Council.

Section 4: This Ordinance does not diminish the requirements or authority of the Alcoholic Beverage Control Division of the Department of Finance and Administration concerning permits issued within the designated entertainment district, including special event permits and establishments within the District must comply with all applicable laws and regulations regarding the sale and distribution of alcoholic beverages.


Section 5: Pursuant to Ark. Code. Ann. §14-54-1412(b)(4), the City Clerk shall, within ten (10) days from the passage of this Ordinance, provide notice of the creation of this Entertainment District to the Alcoholic Beverage Control Division of the Department of Finance and Administration.

Section 6: Severability Provision: If any part of this Ordinance is held invalid, the remainder of this Ordinance shall continue in effect as if such invalid portion never existed; and

Section 7: Repeal of Conflicting Provisions: All Ordinances, Resolutions, or Orders of the City Council, or parts of the same, in conflict with this Ordinance are repealed to the extent of such conflict.

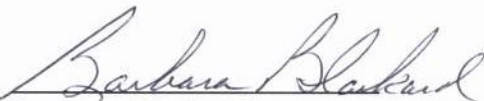
Passed this 13th day of March 2023.

APPROVED:



David Rieder, Mayor

ATTEST:



Barbara Blackard
Clerk/Treasurer

LEVEE ENTERTAINMENT DISTRICT



COUNTRY CLUB ENTERTAINMENT DISTRICT

