

Elmore County Commission



Resolution

RESOLUTION NO. 05-10-2021

WHEREAS, the Elmore County Commission recognizes the need to promote local industrial and economic development in the County; and

WHEREAS, the Elmore County Commission recognizes the need to increase revenues to properly fund governmental functions; and

WHEREAS, the benefit to the general public and the County will be materially promoted by effectuating methods to address the said recognized needs; and

WHEREAS, the Elmore County Commission specifically identifies that the aforementioned needs would be addressed by Commission authorization of the sale of draft beer or keg beer for on-premises and off-premises consumption by properly licensed retail licensees serving the general public in the unincorporated areas of Elmore County and within the corporate limits of any municipality upon approval of the municipal governing body of the municipality; and

WHEREAS, on or about February 10, 2021, the Elmore County Commission passed a resolution requesting that the Elmore County local legislative delegation sponsor and enact local legislation during the 2021 Regular Session of the Legislature authorizing the County Commission outside of the corporate limits of any municipality and in each municipality in the county within its corporate limits to regulate and permit the sale of draft beer or keg beer in any size container for on-premises and off-premises consumption by properly licensed retail licensees of the Alabama Alcoholic Beverage Control Board;

WHEREAS, the Alabama Legislature passed SB251 during its recent session that became law effective April 1, 2021 as Section 45-26-20.01 (final placement and text of 2021 legislation is subject to editorial action of the Code Commissioner) of the *Code of Alabama*, 1975. The said legislation allows the Elmore County Commission, by resolution, to authorize, regulate and permit the sale of draft beer or keg beer in any size container for on-premises and off-premises consumption by properly licensed retail licensees of the Alabama Alcoholic Beverage Control Board in the unincorporated areas of Elmore County and within the corporate limits of each municipality in the county. Additionally, the said legislation allows the Elmore County Commission to set and charge additional fees for a permit to sell draft or keg beer to be deposited in the county general fund. Further, the said legislation authorizes any municipality within the County, by ordinance, to authorize, regulate and permit the sale of draft beer or keg beer in any size container for on-premises and off-premises consumption by properly licensed retail licensees

of the Alabama Alcoholic Beverage Control Board and set and charge additional fees for a permit to sell draft or keg beer, with the proceeds from the said fees to be deposited in the applicable municipal general fund;

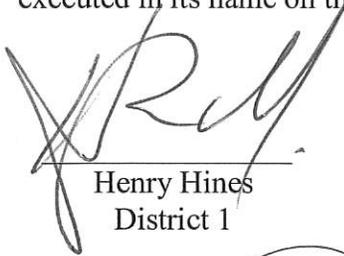
WHEREAS, the Elmore County Commission recognizes that it may now authorize the process for implementation of the said requested legislation by resolution; and

WHEREAS, the Elmore County Commission welcomes any and all other municipalities, cities and/or towns to effectuate the process.

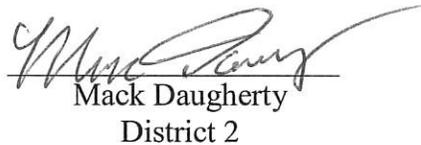
NOW THEREFORE BE IT RESOLVED and ordered by the Elmore County Commission that, based upon the foregoing, it does hereby authorize, regulate and permit the sale of draft beer or keg beer in any size container for on-premises and off-premises consumption by properly licensed retail licensees of the Alabama Alcoholic Beverage Control Board in areas outside of the corporate limits of any municipality and in each municipality in the county within its corporate limits and further implements any and all other provisions of the subject / said legislation; and

BE IT FURTHER RESOLVED the Elmore County Commission does hereby authorize the Elmore County Commission Chairman and the Chief Operations Officer to execute all necessary documents and such other ancillary documents and certificates of any kind as may be necessary to effectuate the transaction(s) authorized by this resolution.

IN WITNESS WHEREOF, the Elmore County Commission has caused this Resolution to be executed in its name on this the 10th day of May, 2021.



Henry Hines
District 1



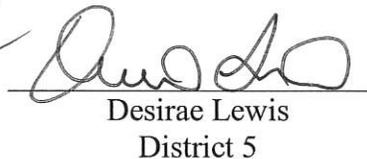
Mack Daugherty
District 2



Troy Stubbs
Chairman



Bart Mercer
District 4



Desirae Lewis
District 5