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D.C.



City of Conway, Arkansas
Ordinance No. O-11-54

AN ORDINANCE TO AMEND ORDINANCE NO. O-10-18 THAT ESTABLISHED THE PERMITTING PROCESS AND PRIVILEGE PERMIT FOR SELLING OR DISPENSING ANY CONTROLLED BEVERAGE WITHIN THE CITY OF CONWAY BY BUSINESSES LICENSED BY THE STATE TO SELL ALCOHOLIC BEVERAGES; AND LEVIED THE PERMIT FEES AND A CITY SUPPLEMENTAL TAX; REPEALING ANY ORDINANCES IN CONFLICT; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and City Council desire to amend Ordinance O-10-18 that levied the city supplemental tax on any controlled beverage within the City of Conway; and

WHEREAS, Title 3 of the Arkansas Code relating to Alcoholic Beverages recognizes the power of local governmental bodies to regulate the operation of establishments under that Title as may be necessary for the protection of public health, welfare, safety, and morals; and

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

Section 1: Section 18 (Number 4) shall be amended to read as follows:

- 4. **Supplemental beverage tax.** In addition to the Supplemental Privilege Permit fee, there is hereby imposed and levied a city supplemental tax of five percent (5%) upon the annual gross receipts which are derived by such private club from charges to the members and/or their guests for the following services:
 - a. For the preparation and serving of mixed drinks, and
 - b. For the cooling and serving of beer, light wine, and wine.
 - c. The city's supplemental beverage tax is in addition to the state supplemental tax on private clubs and shall be paid to the City Clerk/Treasurer's Office, shall be due monthly at the same time that the state supplemental tax is due, and shall be accompanied by one copy of the state supplemental tax return. If any permittee shall fail to remit the supplemental tax within the time period that the state tax is due, a penalty of 10% of the tax due shall be due and payable in addition to the tax.

Section 2: All other parts and enumerated paragraphs in Section 18; remain intact, unamended, and are in full force and effect.


Section 3: That any ordinance which conflicts with this ordinance is hereby repealed to the extent of the conflict.

PASSED this 28th day of June, 2011.

Approved:


Mayor Tab Townsell

Attest:


Michael O. Garrett
City Clerk/Treasurer