

1 SB361  
2 157021-1  
3 By Senator Marsh (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 13-FEB-14

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Pell City, Alabama; authorizing  
14 elections to determine whether alcoholic beverages may be sold  
15 or dispensed on Sunday by properly licensed retail licensees  
16 serving the general public within the city.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only in Pell City,  
19 Alabama.

20 Section 2. (a) The voters of Pell City, Alabama, may  
21 authorize the sale of alcoholic beverages within the city  
22 limits on Sunday by an election pursuant to this act, in the  
23 following manner:

24 Within 30 days from the effective date of this act,  
25 the Pell City City Council, by resolution, may call an  
26 election for the city to determine the sentiment of the voters

1 of the city as to whether or not alcoholic beverages can be  
2 legally sold or distributed on Sunday within the city.

3 (b) On the ballot to be used for such election, the  
4 question shall be in the following form: "Do you favor the  
5 legal sale and dispensing of alcoholic beverages within the  
6 city on Sunday between 12:00 P.M. (noon), and 12:00 A.M.  
7 (midnight)? Yes\_\_\_\_\_ No\_\_\_\_\_

8 (c) The first election and any subsequent elections  
9 shall be held and the officers appointed to hold the election  
10 in the manner provided by law for holding other city  
11 elections, and the returns thereof tabulated and results  
12 certified as provided by law for city elections. Any Sunday  
13 sales election shall be held as provided in this act as a  
14 special election or at any subsequent city election following  
15 the date of the resolution.

16 (d) Notice of the election shall be given by the  
17 governing body of Pell City by publication or by posting the  
18 notice at the city courthouse apprising the voters of the  
19 city, at least three weeks before the date of the election,  
20 that an election shall be held to determine whether alcoholic  
21 beverages may be sold in the incorporated areas of the city on  
22 Sunday. The cost of the election shall be paid out of the  
23 general fund of the city.

24 (e) Only qualified voters of the city may vote in  
25 the election. If a majority of the voters voting in the  
26 election vote "Yes", alcoholic beverages can be legally sold  
27 or dispensed within the incorporated areas of the city on

1 Sunday by licensees of the Alcoholic Beverage Control Board  
2 and the city serving the general public in accordance with  
3 applicable laws and regulations between the hours of 12:00  
4 P.M. (noon) and 12:00 A.M. (midnight). Except as authorized by  
5 law or during such hours, it shall be unlawful for any  
6 licensed vendor to sell, dispense, or permit the consumption  
7 of alcoholic beverages on Sunday. The city may enact, by  
8 ordinance, such policies it deems appropriate to regulate any  
9 aspect of Sunday alcoholic beverages sales.

10 (f) If a majority of the voters voting in the  
11 election vote "No", alcoholic beverages may not be sold or  
12 dispensed in the incorporated area of the city on Sunday after  
13 the hour of 2:00 A.M., except as otherwise authorized by law  
14 or by subsequent election which legalizes the sale and  
15 dispensing of alcoholic beverages on Sunday.

16 Section 3. The provisions of this act are cumulative  
17 and supplemental to the present power and authority of the  
18 city and is not intended to, nor shall it be interpreted so as  
19 to, repeal any existing power or authority of the city now  
20 permitted under the general laws of the state, or under any  
21 local or special act of the Legislature.

22 Section 4. This act shall become effective  
23 immediately following its passage and approval by the  
24 Governor, or its otherwise becoming law.