

ORDINANCE NO. _____

AN ORDINANCE OF THE LEWISVILLE CITY COUNCIL, AMENDING CHAPTER 7, ARTICLE XVII, SALE OF ALCOHOLIC BEVERAGES, OF THE LEWISVILLE CITY CODE BY AMENDING SECTION 7-572 IN ORDER TO CLARIFY THE LOCAL ALCOHOLIC BEVERAGE PERMIT APPLICATION PROCESS AND WAIVE CERTAIN LOCAL ALCOHOLIC BEVERAGE PERMIT FEES; AND AMENDING THE FEE SCHEDULE OF THE CITY OF LEWISVILLE BY AMENDING CERTAIN FEES RELATED TO ALCOHOLIC BEVERAGE PERMITS; PROVIDING A SAVINGS CLAUSE, REPEALER, SEVERABILITY, A PENALTY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lewisville, Texas, has determined that amendments to Section 7-572 of the Lewisville City Code and to the Fee Schedule of the City of Lewisville, as incorporated by reference into Section 2-201 of the Lewisville City Code, are necessary to clarify the current local alcoholic beverage permit application process and comply with current provisions of the Texas Alcoholic Beverage Code; and

WHEREAS, the City Council finds that the amendments contained herein promote consistency between local regulations and state law; and

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare, and safety of its residents, certain amendments to Section 7-572 of the Lewisville City Code and to the Fee Schedule of the City of Lewisville, as incorporated by reference into Section 2-201 of the Lewisville City Code, are necessary.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:

SECTION 1. Chapter 7, Article XVII, Sale of Alcoholic Beverages, Section 7-572 of the Lewisville City Code, is hereby deleted in its entirety and replaced with a new Section 7-572, to read as follows:

“Sec. 7-572. Permit required and permit fee established.

- (a) No person, corporation or association shall sell alcoholic beverages within the city without first having applied for and been granted a valid permit issued by the city to sell alcoholic beverages. Upon the exhibition of a license or permit duly issued by the state to the applicant and payment of any applicable permit fee authorized by the Texas Alcoholic Beverage Code, as it exists or may be amended, and set forth in the city’s fee schedule, the city secretary's office shall, in the name of the city, issue and deliver to the applicant a permit to engage in the business in the city of the character described in and authorized by the license or permit from the state held by the applicant. The license or permit so issued in the name of the city shall authorize the conduct of such business upon the premises described in a license or permit from the state and shall remain in force only so long as the license or permit from the state remains in force.

- (b) The permit fees set forth herein are waived if the premises is a food service establishment, retail food store, mobile food unit, roadside food vendor, or temporary food service establishment, as defined in Chapter 437, Texas Health & Safety Code, that has already paid a fee to operate to the city, the Texas Department of State Health Services, or any county, municipality, or public health district.”

SECTION 2. The City of Lewisville Fee Schedule is hereby amended by deleting the existing fees for BG Wine and Malt Beverage Retailer’s Permit, BQ Wine and Malt Beverage Retailer’s Off-Premise Permit, BE (Malt Beverage) Retail Dealer’s On-Premise License, BF (Malt Beverage) Retail Dealer’s Off-Premise License, P Package Store Permit, Q Wine-Only Package Store Permit, and MB Mixed Beverage w/ Food and Beverage Certificate, and replacing them with

the fees set forth in Attachment A, as well as adding an entry regarding the fee waiver for certain such permits, as set forth in Attachment A.

SECTION 3. The City Manager, or designee, is hereby directed to update the Fee Schedule of the City of Lewisville, Texas, to reflect this amendment.

SECTION 4. SAVINGS CLAUSE. Nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 5. REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 6. SEVERABILITY. If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 7. PENALTY. Any person, firm or corporation who violates any provisions of this ordinance shall be subject to a fine of not more than \$200.00 for each offense. Each continuing day's violation shall constitute a separate offense.

SECTION 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF ____ TO ____, ON THIS THE ____ DAY OF _____, 2026.

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APPROVED:

TJ Gilmore, MAYOR

ATTEST:

Jennifer Malone-Ippolito, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY