

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION REQUESTING SENATOR MICHEAL R. WILLIAMS  
AND REPRESENTATIVE DENNIS EDWARD ROACH  
TO SPONSOR LEGISLATION BEFORE THE GENERAL ASSEMBLY  
THAT AMENDS *TENNESSEE CODE ANNOTATED*  
SECTIONS 57-3-101 (a) (11) AND 57-3-106 (b) (1)  
REGARDING THE SALE OF  
INTOXICATING LIQUORS IN MUNICIPALITIES**

**WHEREAS**, under part 1 of chapter 3 of title 57 of the *Tennessee Code Annotated*, the definition of a city includes a population threshold of 1,000; and

**WHEREAS**, the town of Cumberland Gap has a population of 204 according to the 2000 federal census; and

**WHEREAS**, due to increasing financial constraints, the board of mayor and alderman of Cumberland Gap is exploring all options for increasing revenue; and

**WHEREAS**, the board of mayor and aldermen of the town of Cumberland Gap would like to offer the opportunity for its citizens to vote in a referendum on having liquor by the drink in the town; and

**WHEREAS**, it is the belief of the board of mayor and alderman of the town of Cumberland Gap that other small cities are in a similar position; and

**WHEREAS**, the decision to have liquor sales in a community ultimately rests with the voters of that community.

**NOW THEREFORE BE IT RESOLVED, BY THE TOWN OF CUMBERLAND GAP, TENNESSEE, THAT THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF CUMBERLAND GAP REQUESTS SENATOR MICHEAL R. WILLIAMS AND REPRESENTATIVE DENNIS EDWARD ROACH TO SPONSOR LEGISLATION BEFORE THE GENERAL ASSEMBLY THAT AMENDS *TENNESSEE CODE ANNOTATED* SECTION 57-3-101 (a) (11) REGARDING THE DEFINITION OF A CITY AS IT PERTAINS TO TRAFFIC OF INTOXICATING LIQUORS AS FOLLOWS:**

**SECTION 1.** Delete the definition found in section 101 (a) (11) in part 1 of chapter 3 of title 57 of the *Tennessee Code Annotated* and replace it with the following:

“Municipality” means an incorporated town or city;

**SECTION 2.** Delete section 106 (b) (1) in part 1 of chapter 3 of title 57 of the *Tennessee Code Annotated* and replace it with the following:

Municipalities may, by local option election, permit the manufacture, receipt, sale, storage, transportation, distribution and/or possession of alcoholic beverages within the territorial limits of such municipality by a majority vote, at an election held as hereinafter provided, and in the event of such permission, the manufacture, receipt, sale, storage, transportation, distribution and/or possession of alcoholic beverages in such municipality shall be, and become lawful, notwithstanding the fact that the county or any portion thereof in which such municipality is located has, or has not, voted to the contrary under any other provision of this chapter, and the same shall continue to be lawful until the same is forbidden by the voters of such municipality, by majority vote thereof, at a local option election held as hereinafter provided.

**SECTION 3.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Passed on: \_\_\_\_\_

\_\_\_\_\_

Mayor

\_\_\_\_\_

City Recorder