

ORDINANCE NO. O-2016-005

**AN ORDINANCE TO AMEND TITLE 8, CHAPTER 1 OF THE SEVIERVILLE
MUNICIPAL CODE**

WHEREAS, the Board of Mayor and Aldermen of the City of Sevierville, Tennessee, deem it necessary and desirable to amend Title 8, Chapter 1 of the Sevierville Municipal Code, to provide for the collection of inspection fees as provided for in Tennessee Code Annotated §57-3-501;

NOW, THEREFORE, be it ordained by the BOARD OF MAYOR & ALDERMEN of the CITY OF SEVIERVILLE, TENNESSEE, that:

Title 8, Chapter 1 of the Sevierville Municipal Code is hereby amended by adding the following sections:

8-106. Inspection fee.

(a) There is hereby imposed an inspection fee upon all licensed retailers of alcoholic beverages as defined by Tennessee Code Annotated § 57-3-501, and on all retail food store wine licensees, located within the City of Sevierville.

(b) Except as provided in subsection (c) of this section, the inspection fee shall be eight per cent (8%) of the wholesale price of alcoholic beverages supplied by a wholesaler.

(c) If a manufacturer of high alcohol content beer, as defined by Tennessee Code Annotated § 57-3-101, obtains a retail license to sell its products which are manufactured on the manufacturer's premises, the inspection fee shall be fifteen per cent (15%) of the wholesale price of the high alcohol content beer supplied to be sold on the premises.

8-107. Payment of inspection fee.

(a) Each wholesaler shall furnish the Chief Financial Officer of the City a monthly report of all alcoholic beverages supplied to each licensed retailer and retail food store wine licensee, which report shall contain all of the information required, and all such additional information as may be reasonably required by the Chief Financial Officer, including but not limited to the wholesale price of such alcoholic beverages.

(b) Each manufacturer of high alcohol content beer supplying such products to be sold at retail on its premises shall furnish the Chief Financial Officer of the City a monthly report of all high alcohol content beer so supplied, which report shall contain all of the information required, and all such

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(Continued)

additional information as may be reasonably required by the Chief Financial Officer, including but not limited to the wholesale price of such high alcohol content beer.

(c) Each monthly report required by this section shall be filed with the Chief Financial Officer not later than the twentieth (20th) day of the month following the month in which the products were supplied. Each wholesaler or manufacturer filing such a monthly report shall collect and remit the inspection fee (less any authorized reimbursement for the collection service, which reimbursement shall not exceed five percent (5%) of the amount of the inspection fee), to the Chief Financial Officer of the City at the time the monthly report is made and in no event later than the twentieth (20th) day of the month following the month in which the products were supplied. A penalty of ten percent (10%) of the fee due shall be paid for each failure to file a timely report and/or to pay the required fee.

8-108. Inspections. The City Administrator, the Chief Financial Officer, or the authorized representative of either of them, is authorized to examine the books, papers, and records of any wholesaler or manufacturer subject to the provisions of this chapter at any and all reasonable times for the purpose of determining whether the provisions of this chapter are being observed. The City Administrator, Chief Financial Officer, or the authorized representative of either of them, and the chief of police, and any police officer of the City of Sevierville are authorized to enter and inspect the premises of a licensed establishment at any time the licensed establishment is open for business. In addition to any other penalties imposed by law, each refusal to permit the examination of books, papers and records of a wholesaler or manufacturer, or the inspection and examination of the premises of a licensed establishment, shall be a violation of this chapter, punishable by a fine of up to fifty dollars (\$50.00) for each day the violation occurs or continues.

APPROVED:


Bryan C. Atchley, Mayor

ATTEST:


Lynn McClurg, City Recorder

Passed on 1st reading: April 4, 2016
Passed on 2nd reading: April 18, 2016
Passed on 3rd reading: May 2, 2016