



## MEMORANDUM

**To:** Mayor and City Council  
**From:** Andy Quittner, City Attorney  
**Date:** March 29, 2018  
**Subject:** Proposed Ordinance adopting late hours for the on-premise sale of alcoholic beverages.

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At the last council meeting staff was given direction to set up a public hearing to consider whether or not the standard hours for bar operations should be extended to late hours. The public hearing was held Tuesday, March 27 at the library.

A number of people spoke, on both sides of the issue. On the balance, it appeared that the public at that meeting supported extending hours – at least for some areas of the city as long as the Council reviewed the effects of the extension (and reserved a right to appeal the extension).

There are three possible alternatives that Council may take on this issue:

1. Leave the hours as they are by not adopting late hours;
2. Adopt an ordinance that would extend late hours city-wide; or
3. Adopt an ordinance that would extend late hours for specified districts.

If Council were to extend late hours city-wide, it would be recommended that certain areas be excluded: (1) North Austin Street, from Kingsbury to IH-10; (2) West Court Street from Guadalupe Street to Highway 46; and Kingsbury from Highway 46 to King Street. These commercial areas are surrounded by residential neighborhoods and numerous complaints are generated from the existing establishments in these areas.

If Council were to adopt a district approach staff has created two maps that are consistent with some of the comments expressed at the public hearing. Those maps are attached to the agenda item.

If Council desires to pass late hours, a number of people requested that the effect be reviewed and that Council retain the right to revoke the Ordinance. The Ordinance

attached to the agenda item retains the right of revocation. It also provides for review in one year. A one year period is being suggested because TABC licenses are renewed yearly. All the establishments desiring to serve late hours would need a new license – a one year review period would match their new licenses.

If Council should decide to adopt some form of late hours, the proposed Ordinance can be amended for second reading to reflect Council's direction.