



Commissioner
REED REYNOLDS
Precinct 1

Commissioner
DON FARRIS
Precinct 2

Madison County Commissioners Court

101 West Main, Room 110
Madisonville, Texas 77864
(936)348-2670 Fax: (936)348-2690

CECIL N. NEELY
County Judge

Commissioner
DAVID CALLAHAM
Precinct 3

Commissioner
JIM ANDRUS
Precinct 4

Commissioners Court Order #2005-01 Regulating the Sale of Alcoholic Beverages

WHEREAS, on September 11, 2004 the voters of Madison County voted on the legal sale of beer and wine for off-premises consumption and the legal sale of mixed beverages in restaurants by food and beverage certificate holders only; and

WHEREAS, the Texas Alcoholic Beverage Code authorizes local regulation of alcoholic beverages; and

WHEREAS, the Texas Alcoholic Beverage Code allows counties to annually collect a permit fee in the amount of one-half of the amount of the state approved permit fee for businesses selling alcoholic beverages within the County; and

WHEREAS, the Commissioners Court finds that it will be advantageous, beneficial and in the best interest of the public health, safety and welfare of the citizens to establish regulations governing the sale of alcoholic beverages;

NOW, THEREFORE BE ordered by the Commissioners Court of Madison County, Texas that:

1. No person or entity may obtain a license or permit to sell alcoholic beverages within 300 feet of a church, public or private school or public hospital;
2. Measurements shall be calculated pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code;
3. The license or permit fee payable to Madison County shall be equal to one-half of the State of Texas fee required by the Texas Alcoholic Beverage Commission of every person that may be issued any State permit or license for the manufacture, distilling, brewing, importing transporting, storing, distributing or sale of any beer, wine or mixed beverages unless a different fee is allowed or required by state law.
4. Variances sought must be considered by the Madison County Commissioners Court, pursuant to Section 109.33(c) of the Texas Alcoholic Beverage Code; and
5. This order shall apply only to applications approved after the effective date of this order for a license or permit to sell alcoholic beverages.

IT IS SO ORDERED to be effective from this day hence by a majority vote of the Madison County Commissioners Court on this the 12th day of October, 2004.

Cecil N. Neely
Cecil N. Neely, County Judge

Reed Reynolds
Reed Reynolds, Commissioner, Prec 1

Don Farris
Don Farris, Commissioner, Prec 2

David Callahan
David Callahan, Commissioner, Prec 3

Jim Andrus
Jim Andrus, Commissioner, Prec 4

Attest:

Charlotte Barrett
Charlotte Barrett, County Clerk