

CITY OF STARBASE, TEXAS

ORDINANCE NO. 2025-05-30-D07-OR

AN ORDINANCE OF THE CITY OF STARBASE, TEXAS, ADOPTING EXTENDED HOURS FOR THE SALE OF MIXED BEVERAGES AND THE SALE AND DELIVERY OF MALT BEVERAGES AND WINE FOR TABC LICENSEES OR PERMITTEES HOLDING A RETAILER LATE HOURS CERTIFICATE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR ALL VIOLATIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; PROVIDING FOR ENGROSSMENT AND ENROLLMENT OF THIS ORDINANCE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Starbase, Texas (the "City"), is a Type C general-law municipality, incorporated pursuant to Chapter 8 of the Texas Local Government Code; and

WHEREAS, Section 105.03 of the Texas Alcoholic Beverage Code allows the City Commission by ordinance to adopt extended hours for the sale and the offer to sell mixed beverages by a holder of a mixed beverage permit who holds a retailer late hours certificate; and

WHEREAS, Section 105.05 of the Texas Alcoholic Beverage Code allows the City Commission by ordinance to adopt extended hours for the sale, offer to sell, and delivery of malt beverages by a holder of a retail dealer's on-premise license who holds a retailer late hours certificate; and

WHEREAS, after due deliberation and consideration, the City Commission has determined that this Ordinance should be adopted, and that such Ordinance is in the best interest of the public health, safety, and welfare of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARBASE, TEXAS:

SECTION 1. Incorporation of Premises. The premises set forth above are incorporated herein as if set forth verbatim.

SECTION 2. Extended Hours Adopted – Mixed Beverages. The holder of a mixed beverage permit who holds a retailer late hours certificate issued by the State of Texas may sell and offer for sale mixed beverages between the hours of midnight and 2:00 a.m. on any day in accordance with the Texas Alcoholic Beverage Code, as amended.

SECTION 3. Extended Hours Adopted – Malt Beverages and Wine. The holder of a retail dealer's on-premise license who holds a retailer late hours certificate issued by the State of Texas may also sell, offer for sale, and deliver malt beverages and wine between midnight and 2 a.m. on any day in accordance with the Texas Alcoholic Beverage Code, as amended.

SECTION 4. Definitions, Interpretation and Conflict. The terms used in sections 2 and 3 of this Ordinance shall have the same definition and meaning as used in the Texas Alcoholic Beverage Code. Nothing in this Ordinance shall be interpreted to be more strict or more permissive than the Texas Alcoholic Beverage Code. In the event of a conflict between this Ordinance and the Texas Alcoholic Beverage Code, the Texas Alcoholic Beverage Code shall apply.

SECTION 5. Penalty. Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed \$500 for all violations of this Ordinance. Each day or any portion thereof during which any violation of this Ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 6. Severability. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Starbase, affecting alcoholic beverages, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

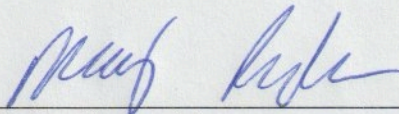
SECTION 8. Engrossment/Enrollment. The City Clerk is hereby directed to enroll and engross this Ordinance by reflecting the passage of this Ordinance in the minutes of the City Commission and by filing this Ordinance in the Ordinance Records of the City.

SECTION 9. Publication. The City Clerk is hereby directed to publish the caption, penalty clause, and effective date of this Ordinance as provided by law.

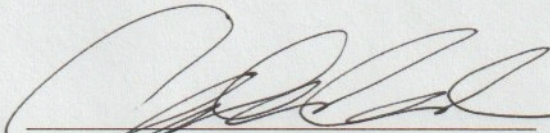
SECTION 10. Effective Date. This Ordinance shall become effective upon its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by the City Commission of the City of Starbase, Texas, on this 30th day of May, 2025.

CITY OF STARBASE, TEXAS

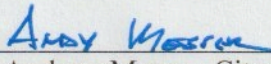

Bobby Peden, Mayor

ATTEST:


Caroline Cole, City Clerk



APPROVED AS TO FORM:


W.m. Andrew Messer, City Attorney