

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, REPEALING SECTION 4.02.031, "PERMIT REQUIRED; FEE," OF DIVISION 2, "PERMITS AND LICENSES," OF ARTICLE 4.02, "ALCOHOLIC BEVERAGES," OF CHAPTER 4, "BUSINESS REGULATIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS; MAKING FINDINGS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE.**

**WHEREAS**, in Senate Bill 1008, approved by the 89th Regular Session of the Texas Legislature, the Legislature specifically determined that fees referenced in Section 4.02.031 of the Town's Code of Ordinances may no longer be imposed, and the Town is hereby repealing said section to be in compliance with Senate Bill 1008.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2**

From and after the effective date of this Ordinance, Section 4.02.031, "Permit Required; Fee," of Division 2, "Permits and Licenses," of Article 4.02, "Alcoholic Beverages," of Chapter 4, "Business Regulations," of the Code of Ordinances of the Town of Prosper, Texas, is hereby repealed in its entirety.

**SECTION 3**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 4**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, and any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5**

This Ordinance shall become effective from and after its adoption and publication as required by law.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE  
TOWN OF PROSPER, TEXAS, ON THIS 16TH DAY OF SEPTEMBER, 2025.**

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**David F. Bristol, Mayor**

**ATTEST:**

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**Michelle Lewis Sirianni, Town Secretary**

**APPROVED AS TO FORM AND LEGALITY:**

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**Terrence S. Welch, Town Attorney**