

CITY OF SANGER, TEXAS

ORDINANCE 10-28-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, AMENDING THE CITY OF SANGER CODE OF ORDINANCE, CHAPTER 4, BUSINESS REGULATIONS, ARTICLE 4.1000, ALCOHOLIC BEVERAGES, SECTION 4.1002 PERMIT REQUIRED AND SECTION 4.1007 OFF-PREMISES PERMIT.; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OR FINE IN ACCORDANCE WITH SECTION 1.109 OF THE CODE OF ORDINANCE FOR VIOLATIONS; AND PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

WHEREAS, during the 88th Texas Legislature, Regular Session, the legislature passed Senate Bill 1008, which limits city and public health district authority with regard to food service establishments; and

WHEREAS, Senate Bill 1008 also limits when a city or a public health district may charge a local license or permit fee under the Texas Alcoholic Beverage Code; and

WHEREAS, effective September 1, 2025, the City of Sanger can no longer collect the Local Texas Alcoholic Beverage Commission (TABC) maximum local fee as established by the Commission for any food service establishment, retail food store, mobile food unit, roadside food vendor, or temporary food service establishment that has already paid a fee to operate to Texas Department of State Health Services (DSHS) or to any county, city, or public health district; and

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANGER, TEXAS:

SECTION 1. That Chapter 4, Business Regulations, Article 4.1000, Alcoholic Beverages, Section 4.1002 Permit Required and Section 4.1007 Off-Premises Permit is amended as follows:

§ 4.1002. Reserved

§ 4.1007. Permits.

- (a) Each application to the Alcoholic Beverage Commission for a wine and beer retailer's off-premises permit or for a mixed beverage permit for a location within the city limits shall be remitted to the city secretary.

SECTION 2. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 3. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance 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 portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

SECTION 4. That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

SECTION 5. Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in The Code of Ordinances, Section 1.109 General Penalty for Violations of Code.

SECTION 5. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such case provides.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on this 6th day of October, 2025.

APPROVED:

Thomas E. Muir, Mayor

ATTEST:

Kelly Edwards, City Secretary

APPROVED TO FORM:

City Attorney