

RESOLUTION 21-R-09 adopting rules regarding the possession, use and consumption of beer, wine and alcoholic beverages on City-owned property to include the Murfreesboro Municipal Airport.

WHEREAS, Murfreesboro City Code §4-90, Beer, Wine and Other Beverages on City Property, specifies that rules shall be adopted by the Council by resolution after receiving recommendations from the department; and,

WHEREAS, the Murfreesboro Municipal Airport Commission and the Airport Manager have developed rules regarding the possession, use and consumption of beer, wine and other alcoholic beverages; and

WHEREAS, the Airport Commission recommended and approved such rules at its April 19, 2021 meeting; and

WHEREAS, pursuant to Ordinance 08-O-38 and Ordinance 21-O-05, the City Council wishes to adopt said rules as set forth in Attachment A hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

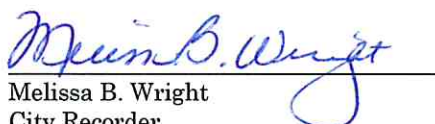
SECTION 1. Approves and adopts the rules contained in Attachment A hereto for Murfreesboro Municipal Airport.

SECTION 2. This Resolution shall be effective immediately upon its passage and adoption, the public welfare and the welfare of the City requiring it.

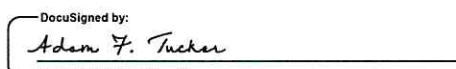
Passed: June 24, 2021


Shane McFarland, Mayor

ATTEST:


Melissa B. Wright
City Recorder

APPROVED AS TO FORM:

DocuSigned by:

Adam F. Tucker
City Attorney

**MURFREESBORO MUNICIPAL AIRPORT
RULES FOR ALCOHOLIC BEVERAGES ON AIRPORT PROPERTY**

General

1. No person under the influence of alcohol or drugs shall operate any motor vehicle, machinery, or aircraft of any type on Murfreesboro Municipal Airport ("Airport") property ("Property"). For purposes of these Rules, Property shall include all of the real property owned by the City of Murfreesboro and dedicated to use by and for the Airport.
2. No person shall be or become intoxicated on Airport Property. For purposes of these rules, a person is intoxicated if: (a) the person's mental or physical functions are meaningfully impaired due to the person's consumption or use of a controlled substance, a controlled substance analogue, alcohol, or other substance affecting the central nervous system; or (b) the person exhibits plain and easily observed outward manifestations of behavior or physical signs produced by the over consumption of alcohol.
3. City employees will instruct intoxicated persons to leave the Property and not to return to the property until they are no longer intoxicated. An intoxicated person who refuses to leave the property when instructed, as well as persons who are repeatedly asked to leave the Property due to their intoxicated state, may be removed by police and/or denied future access to, or future use of, the Airport.
4. The sale, distribution, consumption, use or possession of beer, wine or other alcoholic beverages on Airport Property is allowed as set forth in these Rules or a Use Agreement entered into pursuant to these Rules,
5. Any sale, distribution, consumption, use or possession of beer, wine or other alcoholic beverage on Airport Property must comply with all state and local laws relative to the sale, distribution, consumption, use, and possession of alcoholic beverages.
6. Any person or entity authorized to sell or distribute beer, wine, or other alcoholic beverages on Airport Property must have all appropriate state and local licenses and permits to engage in such activity.
7. No person shall consume, sell, distribute, or display beer, wine, or other alcoholic beverage on or within any public or open area of the Airport except in accordance with the terms of a Use Agreement entered into pursuant to these Rules. Beer, wine, and other alcoholic beverages may be possessed and consumed by the lessee or tenant of a hangar, and such lessee's or tenant's invited guests, within the confines of such hangar, subject to these Rules.
8. No individual possessing an alcoholic beverage in an open container is permitted to be on the Airport's runway, taxiways, apron, sidewalks, parking lots, or driveways.
9. Lessees of hangars and other Airport facilities are responsible for enforcing the City's rules for possession, use and consumption of beer, wine and any other alcoholic beverages on the leased premises and for enforcing applicable state and local laws and regulations.
10. Any person in violation of these rules may be subject to criminal or civil prosecution pursuant to applicable state and local laws.

Use Agreement

1. The sale, distribution, consumption, use, or possession of beer, wine or other alcoholic beverage shall be allowed in conjunction with an approved facility rental and/or special event as set forth in a Use Agreement between the party hosting the event ("User") and the City.
2. A Use Agreement is required for rental of any portion of the Terminal or other City-managed facility. In addition, a Use Agreement is required for events hosted in private leased areas where alcohol is to be served and the number of actual or invited attendees is 15 or more.

ATTACHMENT A

3. All alcoholic beverages brought onto the Airport Property in connection with a Use Agreement must remain under the control and supervision of the User, a business in possession of a state-issued caterer license or City-issued caterer beer permit ("Caterer"), or an employee of the User or Caterer. No alcoholic beverages shall be left unattended on the Airport Property.
4. Persons serving any alcoholic beverage at the Airport pursuant to a Use Agreement must be at least twenty-one (21) years of age and acting under the direct supervision of the User or Caterer
5. Providing alcohol to anyone under the age of twenty-one (21), whether by a User, a Caterer, or a person under the User's or Caterer's supervision is strictly prohibited. Failure to adhere to this rule will result in the User being banned from hosting future events at the Airport at which alcohol is served for at least one (1) year.
6. The person or entity responsible for selling or distributing any alcoholic beverage pursuant to a Use Agreement must provide a copy of any required beer permit or liquor license to the Airport Manager or designee prior to the event.
7. Beer kegs may be permitted during a rental or special event if specified in the Use Agreement.
8. Alcoholic beverages may only be served and possessed in the location and during the specific hours of the rental or special event specified in the Use Agreement
9. Persons in possession of an alcoholic beverage must stay within the perimeters of the rented or special event area. Under no circumstances will individuals possessing alcoholic beverages be permitted outside such rental or special event area.
10. The Airport Commission reserves the right to implement additional rules relative to the sale, distribution, consumption or possession of beer, wine or any other alcoholic beverages at the facility as may be necessary.

Adopted by Murfreesboro Airport Commission: April 19, 2021_____.

Approved by Murfreesboro City Council: _____