

ORDINANCE NO. 483

AN ORDINANCE APPROVING APPLICATION FOR A PERMIT TO OPERATE AS A PRIVATE CLUB FILED BY BLUE AGAVE MEXICAN GRILL WITHIN THE CITY OF BARLING, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

WHEREAS, A.C.A. § 3-9-222 provides for the procedure by which application may be made to apply for a permit to operate as a private club; and

WHEREAS, A.C.A. § 3-9-222(a)(1) provides that the governing body for the municipality in which the application for permit is sought may approve said application by ordinance; and

WHEREAS, such application has been made by the Blue Agave Mexican Grill for a permit to operate as a private club within the city limits of Barling, Arkansas; and

WHEREAS, the City of Barling, Arkansas desires to assist in the development and growth of commerce within its city limits;

NOW, BE IT THEREFORE ORDAINED AND ENACTED BY THE BOARD OF DIRECTORS OF THE CITY OF BARLING, ARKANSAS, that:

SECTION 1: Approval of Application for Permit to Operate as a Private Club.

The application for a permit to operate as a private club within the city limits of the City of Barling by Mario Gonzales as managing member for Blue Agave Mexican Grill is hereby approved for its proposed location at 203 Fort Street, in Barling, Arkansas.

SECTION 2: No Private Club Operation Until Approval.

That no private club operations will begin unless and until a permit to operate a private club is issued by the Arkansas Alcoholic Beverage Control division.

SECTION 3: Approval and Permit Subject to Suspension or Revocation.

That the approval and permit are subject to suspension and/or revocation by the City of Barling in the event that the managing member and/or Blue Agave Mexican Grill violates any Barling ordinances pertaining to private club permits or state law.

SECTION 4: Severability.

Should any portion of this Ordinance be determined to be unconstitutional or invalid and so declared by a Court of competent jurisdiction, the remaining parts and provisions of this Ordinance shall remain in place.

SECTION 5: Emergency Declared to Exist.

The enactment of this Ordinance would insure for the immediate development of commerce and growth in furtherance of the health, safety and welfare of the public, so that an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED this 24th day of August, 2021.

Wally Gattis
Wally Gattis, Mayor

ATTEST

Florene Brown
Florene Brown, City Clerk

