

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF VIENNA TO
SUBMIT AN AMENDMENT TO THE MUNICIPAL HOME RULE BOARD AMENDING
THE CITY'S HOME RULE PLAN TO ALLOW THE SALE OF ALCOHOL
BEVERAGES BY CERTAIN ALCOHOL BEVERAGE CONTROL ADMINISTRATION
CLASS "A" LICENSE HOLDERS BEGINNING AT 10:00 A.M. ON SUNDAYS**

WHEREAS, the City of Vienna was selected to participate in the West Virginia Home Rule Pilot Program by the Municipal Home Rule Board in October 2014, and

WHEREAS, Senate Bill 298 was passed by the West Virginia Legislature on March 12, 2016 to allow county commissions to conduct a county option election on the question of whether to allow restaurants, private clubs, Class A retailers, wineries and wine serving entities to sell alcoholic liquors, wine and non-intoxicating beer as their licenses allow, and distilleries and mini-distilleries to offer complimentary samples of alcohol beginning at 10:00 a.m. on Sundays for on-premises consumption only, and

WHEREAS, this new legislation went into effect 90 days after it was passed by the West Virginia Legislature, and

WHEREAS, the City may propose to enact such legislation by amending its written plan with the West Virginia Municipal Home Rule Board in accordance with West Virginia State Code §8-1-5a, and

WHEREAS, the following amendment to the City of Vienna's Home Rule Application/Plan is attached hereto, and

WHEREAS, similar legislation has already been adopted by the fifteen communities in the State of West Virginia that participate in the Home Rule Pilot Program, and

WHEREAS, the City desires to give residents choices and its business establishments every opportunity to engage in lawful activities that may help grow their business, and

WHEREAS, allowing the sale of alcohol after 10 a.m. may create additional employment opportunities and enhance tourists/business travelers overall experience in the community,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
VIENNA, WEST VIRGINIA:**

That, Mayor Randall C Rapp is hereby authorized to submit to the Municipal Home Rule Board a proposed amendment, attached hereto, to the City of Vienna's Municipal Home Rule Plan consistent with the West Virginia State Code § 8-1-5a, requesting approval to allow the sale of alcohol beverages by certain Alcohol Beverage Control Administration Class "A" License Holders beginning at 10:00 A.M. on Sundays.