

AN ORDINANCE TEMPORARILY AMENDING THE GEOGRAPHIC AREA AND BOUNDARIES OF THE LEISURE AND RECREATION DISTRICT WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF TUPELO, MISSISSIPPI; AND FOR RELATED PURPOSES

WHEREAS, the City of Tupelo, Mississippi, (“the city”) is a duly organized and incorporated municipality pursuant to Section 21-8-1, et seq., of the Mississippi Code of 1972 (as amended); and

WHEREAS, pursuant to Miss. Code Anno. § 67-1-101 (1972 as amended), the city established by ordinance a Leisure and Recreation District on March 3, 2018, said ordinance set forth in Chapter 5, Article III, Sections 5-35 through 5-44, also with amendments to other sections of Chapter 5, Articles II and III; and

WHEREAS, Miss. Code Anno. § 67-1-101 (1972 as amended) authorizes the expansion of existing districts and the creation of additional districts; and

WHEREAS, the restaurants in the city are vibrant and diverse providing unique dining experiences for the citizens of the city and the surrounding region; and

WHEREAS, the restaurants in the city are vital contributors to the city’s economic and financial success, generating sales and tourism taxes; and

WHEREAS, the Coronavirus outbreak and the necessary measures taken by local and state government to curb the spread of the virus have shuttered the dining rooms of all restaurants, crippling all and closing many; and

WHEREAS, the Alcoholic Beverage Commission (“ABC”) has relaxed its regulations on both package retailer permittees (liquor stores) and on premise retail alcoholic beverage permittees (restaurants) in order to maintain sustainability in these business sectors during the Coronavirus outbreak, including phone-in transactions, curbside delivery and “doggie bag” unopened bottles of wine at restaurants (as opposed to the previously allowed re-corked dine-in option) with the carry out/drive-through/curbside pick-up of a meal; and

WHEREAS, the ABC now allows mixed drink liquor and wine to be sold with carry out/curbside/drive-through pick up of meals in established Leisure and Recreation Districts of this State; and

WHEREAS, the city’s restaurants holding an on premise retail alcoholic beverage permits are located throughout the city, not just in the existing Downtown Tupelo Leisure and Recreation District; and

WHEREAS, the expansion of the existing leisure and recreation district constitutes an emergency measure and is reasonable and necessary for the sustainability and future viability of the restaurant business sector, and the expansion of same is in the best interest of the public peace, health and safety of the city’s citizens; and

WHEREAS, nothing herein is intended to confer any rights or entitlement since the sale of alcohol within an area designated as a "Leisure and Recreation District" is a privilege and not a right and is subject at all times to reasonable regulation, modification or repeal; and

WHEREAS, subject to the terms and limitations of Miss. Code Anno. Sec. 67-1-101 (1972 as amended), current ABC practice and this Ordinance, the City of Tupelo hereby amends its "Leisure and Recreation District" as more fully set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING CITY COUNCIL OF THE CITY OF TUPELO, MISSISSIPPI, AS FOLLOWS:

SECTION 1. The prefatory clauses are incorporated herein.

SECTION 2. That the Code of Ordinances of the City of Tupelo be, and the same is hereby, amended by amending Chapter 5, Article III to read as follows:

CHAPTER 5

ARTICLE III. LEISURE AND RECREATION *DISTRICTS*

SECTION 5-35. CREATION AND ESTABLISHMENT OF *DISTRICTS*

(A) Downtown Tupelo Leisure and Recreation District. Under the authority granted in Miss. Code Anno. Sec. 67-1-101 (1972 as amended), there is hereby established a "Leisure and Recreation District" in the downtown area of the City of Tupelo within the geographic area and within such boundaries as are set forth and designated herein and as represented on the georeferenced Map which is attached hereto as "Exhibit A" and fully incorporated herein.

(B) Temporary City-Wide Leisure and Recreation District. This temporary district provides an expansion of the *Downtown Tupelo Leisure and Recreation District* boundary lines to include the entire city limits until such time as the Governor removes the State of Emergency, at which time such boundary lines will revert to previous boundary lines approved in 2018. During this time, a "Leisure and Recreation District" is established for all restaurants permitted to sell alcoholic beverages, light wine and beer, and native wines throughout the City of Tupelo, within the geographic area and within such boundaries as are set forth, and designated herein and as represented on the georeferenced Map which is attached hereto as "Exhibit B" and fully incorporated herein. Guidelines for this temporary district are attached as Exhibit "C".

SECTION 5-36. NAME AND BOUNDARIES OF *DISTRICTS*.

(A) The "Leisure and Recreation District" established herein shall be known as the "Downtown Tupelo Leisure and Recreation District" (hereinafter "the District") and shall have the following as its boundaries:

Point of Beginning being the Northeast corner of Parcel Number 089T-29-022-00, point being on the West right-of-way of U.S. Highway 45; thence from the Point of Beginning South along the East property line to the Southeast corner of said parcel; thence passing through Parcel Number 089T-29-022-02 to the Northeast corner of Parcel Number 089T-

29-026-00 continuing to the Southeast corner of Parcel Number 089L-32-002-00; thence running West along the South property line of said parcel to the East right-of-way of North Commerce Street; thence crossing North Commerce Street to the intersection of Parcel Numbers 089L-32-001-00 and 089L-32-010-00; thence South along the West right-of-way of North Commerce Street to the Northwest corner of the intersection with East Franklin Street; thence West along the North right-of-way of East Franklin Street to the Northeast corner of the intersection with North Front Street; thence crossing North Front Street to the Northwest corner of the intersection of West Franklin Street continuing along the North right-of-way of West Franklin Street and crossing North Spring Street to the Northeast corner of the intersection with North Spring Street; thence South along the West right-of-way of North Spring Street to the Northwest corner of the intersection with Jefferson Street; thence West along the North right-of-way of Jefferson Street to the Northwest corner of the intersection with North Green Street; thence South along the West right-of-way of North Green Street to the Northwest corner of the intersection of West Main Street; thence crossing West Main Street to the Southwest corner of the intersection with South Green Street and continuing South along the West right-of-way of South Green Street to the Southwest corner of the intersection with Elliott Street; thence East along the South right-of-way of Elliott Street to the intersection with the West right-of-way of South Broadway Street; thence South along the West right-of-way of South Broadway Street to the Southeast corner of Parcel Number 089P-31-248-00; thence crossing South Broadway to the Southeast corner of the intersection with Elliott Street; thence along the South right-of-way of Elliott Street to the Southeast corner of the intersection with South Spring Street; thence North along the East right-of-way of South Spring Street to the intersection of the centerline of the BNSF Railway; thence South along the centerline of the BNSF Railway to the intersection with the West right-of-way of U.S. Highway 45, thence North along the West right-of-way of U.S. Highway 45 to the Point of Beginning.

(B) The "Leisure and Recreation District" established herein shall be known as the "Temporary City-Wide Leisure and Recreation District" (hereinafter "the District") and shall have the following as its boundaries:

Point of beginning at the Northeast corner of Section 11, Township 9 South, Range 5 East, Lee County, Mississippi, and thence East along a North line of Section 12, Township 9 South, Range 5 East, Lee County, Mississippi, a distance of 5318.94 feet to the Southwest corner of Section 6, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the South line of Section 6, a distance of 1153.30 feet to Natchez Trace Monument No. 89 on the West Right-of-Way line of the Natchez Trace Parkway;

Thence North 14 degrees 27 minutes East along said West Right-of-Way Line of the Natchez Trace Parkway 686.9 feet to Natchez Trace Monument No. 88;

Thence North 26 degrees 59 minutes East along said West Right-Of-Way line of the Natchez Trace Parkway 704.40 feet to Natchez Trace Monument No. 86;

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Thence North 00 degrees 50 minutes East along said West Right-Of-Way line of the Natchez Trace Parkway 730.00 feet to Natchez Trace Monument No. 84;
Thence North 21 degrees 34 minutes West along said West Right-Of-Way line of the Natchez Trace Parkway 391.30 feet to Natchez Trace Monument No. 83;

Thence North 70 degrees 28 minutes East along the West Right-Of-Way line of the Natchez Trace Parkway 91.70 feet to Natchez Trace Monument No. 82;

Thence North 18 degrees 31 minutes West along the West Right of Way line of the Natchez Trace Parkway 541.17 feet to Natchez Trace Monument No. 81;

Thence North 23 degrees 14 minutes West along the West Right of Way line of the Natchez Trace Parkway 192.60 feet to Natchez Trace Monument No. 80;

Thence North 33 degrees 45 minutes West along the West Right-of-Way line of the Natchez Trace Parkway 192.50 feet to Natchez Trace Monument No. 79;

Thence North 42 degrees 20 minutes East along the West Right-Of-Way line of the Natchez Trace Parkway 1054.9 feet to Natchez Trace Monument No;78;

Thence North 58 degrees 17 minutes East along West Right-Of-Way line of the Natchez Trace Parkway 2520.93 feet to Natchez Trace Monument No. 72 on the North Line of Section 6, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 6, a distance of 1196.50 feet to the Northwest corner of Section 5, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 5, Township 9 South, Range 6 East, Lee County, Mississippi, a distance of 4000.00 feet, more or less, to the East Right-of-Way line of the Kansas City Southern Railroad;

Thence Southwestwardly along the East right-of-way line of the Kansas City Southern Railroad 5360 feet, more or less, to the North line of Section 8, Township 9 South, Range 6 East, Lee County, Mississippi, with such point also being on the existing Tupelo Corporate Limit Line;

Thence East along the North line of Section 8, Township 9 South, Range 6 East, Lee County, Mississippi, a distance of 2170 feet, more or less, to the Northwest corner of Section 9, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 9, a distance of 5285.28 feet, more or less, to the Northeast corner of Section 9, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 9, a distance of 2645.28 feet, more or less, to the Southeast corner of the Northeast Quarter of Section 9, Township 9 South, Range 6 East } Lee County, Mississippi;

Thence West along the South line of the North half of Section 9, a distance of 5284.29 feet, more or less, to the Southwest corner of the Northwest Quarter of Section 9, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 8, Township 9 South, Range 6 East, Lee County, Mississippi, 2646.60 feet, more or less, to the Northeast Corner of Section 17, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 17, Township 9 South, Range 6 East, Lee County, Mississippi, 5285.28 feet, more or less, to the Northwest corner of Section 21, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 21, a distance of 5285.28 feet, more or less, to the Northeast corner of Section 21, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 22, a distance of 5277.36 feet to the Northeast corner of Section 22, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 22, a distance of 5285.28 feet to the Southeast corner of said Section 22, Township 9 South, Range 6 East, Lee County, Mississippi;

Thence East along the North line of Section 26, Township 9 South, Range 6 East, Lee County, Mississippi, a distance of 5280.00 feet to the Northeast corner of Section 26, Township 9 South, Range 6 East, Lee county, Mississippi;

Thence South 700 feet, more or less along the East line of Section 26, to the centerline of Tulip Creek:

Thence in a Southwesterly direction along the meanderings of the centerline of Tulip Creek as it passes through Sections 26, 34 and 35 of Township 9 South, Range 6 East, Lee County, Mississippi and as it passes through Section 3, Township 10 South, Range 6 East, Lee County, Mississippi, for 17,888 feet, more or less, to a point in the center of Tulip Creek, which point is on the existing Corporate Limits of the City of Tupelo, Mississippi and is 660 feet North of and 800 feet, more or less, East of the Southwest corner of Section 3, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence West 800 feet, more or less, along the existing Corporate Limits of the City of Tupelo, Mississippi to the East line of Section 4, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 4 and the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet, more or less, to the Southeast corner of Section 4, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence continue South along the East line of Section 9, Township 10 South, Range 6 East, Lee County, Mississippi and the existing Corporate Limits of the City of Tupelo, Mississippi, 1,980

feet, more or less, to the Southeast corner of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 9, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 1320 feet, more or less, to the Northeast corner of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter of said Section 9, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet to the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section 9, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi 660 feet, more or less to the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 9, Township 10 South, Range 6 East, Lee County, Mississippi

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi 1320 feet, more or less, to the Northeast corner of Section 7, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence South along the existing Corporate Limits of the City of Tupelo, Mississippi and the East line of Section 17, a distance of 5289.24 feet, more or less, to the Southeast corner of Section 17, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence South along the East line of Section 20, Township 10 South, Range 6 East, Lee County, Mississippi, 5283.96 feet, more or less, to the Southeast corner of Section 20, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence West along the South line of Section 20, 5285.28 feet, more or less, to the Southwest corner of Section 20, Township 10 South, Range 6 East, Lee County, Mississippi and also being on the existing East boundary of the City of Verona Corporate Limit Line;

Thence North along the West line of Section 20, and along the existing East boundary of the City of Verona Corporate Limit Line 5282.64 feet, more or less, to the Northwest corner of Section

20, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence North along the existing East boundary of the City of Verona Corporate Limit Line and the West line of Section 17, Township 10 South, Range 6 East, Lee County, Mississippi, 945.00 feet, more or less, to a point on the existing Corporate Limits of the City of Tupelo, Mississippi;

Thence West along the existing Corporate Limits of the City of Tupelo, Mississippi, 4300 feet, more or less, to the East right-of-way of the Kansas City Southern Railroad;

Thence Southwestwardly along said East railroad right-of-way and the existing Corporate Limits of the City of Tupelo, Mississippi, 1000 feet, more or less, to the South boundary of Section 18, Township 10 South, Range 6 East, Lee County, Mississippi;

Thence continue Southwestwardly along said East railroad right-of-way and the existing Corporate Limits of the City of Tupelo, Mississippi, 1325 feet, more or less, to a point on said East railroad right-of-way and the existing Corporate Limits of the City of Tupelo, Mississippi;

Thence, West along the existing Corporate Limits of the City of Tupelo, Mississippi, 517 feet, more or less, to a point on the East boundary of Section 24, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence West along the existing the existing Corporate Limits of the City of Tupelo, Mississippi, 5222.25 feet, more or less, to the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 24, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence continue West along the existing Corporate Limits of the City of Tupelo, Mississippi, 2639.51 feet, more or less, to the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 23, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence North along the exiting City of Tupelo Corporate Limit Line, and the East line of the Northwest Quarter of Section 23, a distance of 1320.00 feet, more or less, to the Northeast corner of the Northwest Quarter of Section 23, Township 10 South, Range 5 East, Lee County, Mississippi

Thence North along the East line of the Southwest Quarter of Section 14, Township 10 South, Range 5 East, and the existing City of Tupelo Corporate Limit Line 600.99 feet;

Thence West along the existing City of Tupelo Corporate Limit Line, North of and parallel to the North line of Section 23, Township 10 South, Range 5 East, Lee County, Mississippi, 5278.68 feet, more or less, to a point on the West line of the Southeast Quarter of Section 15, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence North along the half section line, and the existing City of Tupelo Corporate Limit Line 4679.00 feet, more or less, to the Northwest corner of the Northeast Quarter of Section 15, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence West along the existing City of Tupelo Corporate Limit Line, and the South line of Section 10, Township 10 South, Range 5 East, Lee County, Mississippi 2641.32 feet, more or less, to the Southwest corner of Section 10, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence North along the existing City of Tupelo Corporate Limit Line, and the West line of Section 10, Township 10 South, Range 5 East, Lee County, Mississippi, 5299.80 feet, more or less, to the Northwest corner of Section 10, Township 10 South, Range 5 East, Lee County, Mississippi.

Thence West along the South line of Section 4, Township 10 South, Range 5 East, Lee County, Mississippi, and the existing City of Tupelo Corporate Limit Line 5282.64 feet to the Southwest corner of Section 4, Township 10 South, Range 5 East, Lee County, Mississippi.

Thence North along the West line of Section 4, Township 10 South, Range 5 East, Lee County, Mississippi, and the existing City of Tupelo Corporate Limit Line 2310.00 feet, more or less, to the Northeast corner of the south half of the Northeast quarter of the Southeast quarter of Section 5, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence west along the existing Tupelo Corporate Limit Line 2,970.00 feet, more or less, to the Southwest corner of the Northeast Quarter, of the Northeast Quarter, of the Northeast Quarter of the Southwest Quarter of Section 5, Township 10 South, Range 5 East, Lee County, Mississippi;

Thence North along the existing City of Tupelo Corporate Limit Line 300.00 feet to the South Right of Way of Mississippi Highway 6 (Also known as West Main Street);

Thence westwardly along the existing south Right of Way line of Mississippi Highway No. 6 to a point on the West line of Section 5, Township 10 South, Range 5 East, Lee County, Mississippi, traveling along said South Right of Way line as follows:

Thence westwardly along the arc of a curve in said south line 533.00 feet more or less to a point 50.00 feet south of center line at station 256+00

Thence southwardly along said south line 1000 feet to a point 60.00 feet south of center line at station 256+00;

Thence westwardly along said south line 400.00 feet more or less to a point 60.00 feet south of center line at station 260+00;

Thence southwardly 40.00 feet to a point 100.00 feet south of centerline at station 260+00

Thence westwardly along the arc of a curve in said south line 943.41 feet more or less to a point 100.00 feet south of center line at station 269+43.41;

Thence South 70 degrees 05 Minutes west along said south line 524.00 feet more or less to the West line of section 5, Township 10 South, Range 5 East, Lee County, Mississippi,

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Thence North along the West line of Section 5, a distance of 3193.00 feet, more or less, to the Northwest Corner of Section 5, Township 10 South, Range 5 East, Lee County, Mississippi, and the Southwest corner of Section 32, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence North along the West line of Section 32 a distance of 5318.94 feet, more or less, to the Northwest corner of Section 32, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence West along the South line of Section 30, Township 9 South, Range 5 East, Lee County, Mississippi 2641.32 feet, more or less, to the Southwest corner of the Southeast Quarter of Section 30, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence North along the Half Section Line of the East Half of Section 30, a distance of 5289.90 feet, more or less, to the Northwest corner of the Northeast Quarter of Section 30, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence East along the North line of Section 30, a distance of 2640.00 feet, more or less, to the Southwest corner of Section 20, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence North along the West line of Section 20, a distance of 5283.96 feet, more or less, to the Northwest corner of Section 20, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence West along the South line of Section 18, Township 9 South, Range 5 East, Lee County, Mississippi, 5280.00 feet, more or less, to the Southwest corner of Section 18, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence North along the West line of Section 18, a distance of 5280.00 feet, more or less to the Northwest corner of Section 18, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence East along the North line of Section 18, Township 9 South, Range 5 East, Lee County, Mississippi, 5282.64 feet more or less to the Southwest corner of Section 8, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence North along the West line of Section 8, a distance of 5281.32 feet, more or less, to the Northwest corner of Section 8, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence East along the North line of Section 8, a distance of 5295.84 feet, more or less, to the Northeast corner of Section 8, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence East along the North line of Section 9, Township 9 South, Range 5 East, Lee County, Mississippi, 5289.24 feet, more or less, to the Northeast corner of said Section 9, Township 9 South, Range 5 East, Lee County, Mississippi;

Thence East along the North boundary of Section 10, Township 9 South, Range 5 East, Lee County, Mississippi 5293.20 feet, more or less, to the Northeast corner of Section 10, Township 9

South, Range 5 East, Lee County, Mississippi;

Thence East along the North boundary of Section 11, Township 9 South, Range 5 East, Lee County, Mississippi 5281.32 feet, more or less, to the Northeast corner of Section 11, Township 9 South, Range 5 East, Lee County, Mississippi and the point of beginning of this description.

SECTION 3. Section 5-38 - Specific days and times of the Leisure and Recreation District Ordinance; Special Events, subsection (A) shall be amended to read:

A. Regular hours for the Downtown Tupelo Leisure and Recreation District shall begin every Monday at 10:00 a.m. and end on Saturday at 11:59 p.m.

SECTION 4. Section 5-38 - Specific days and times of the Leisure and Recreation District Ordinance shall also be amended to add:

D. Regular hours for the Temporary City-Wide Leisure and Recreation District shall begin every Monday at 10:00 a.m. and end on Saturday at 11:59 p.m. or as otherwise specified by Executive or Emergency Orders dealing with the COVID-19 public health emergency.

SECTION 5. Chapter 5, Article III, subsections 5-35 (B), 5-36 (B) and 5-38 (D) shall be reviewed by the City Council in ninety (90) days, until such time as the Governor removes the State of Emergency, or the city council chooses to review earlier, whichever event occurs first.

SECTION 6. All other provisions of Chapter 5, Article III remain applicable.

SECTION 7. Pursuant to Miss. Code § 21-13-11 (1972 as amended) this ordinance is an emergency ordinance necessary for the immediate and temporary preservation of the public peace, health and safety and for the sustainability and future viability of the restaurant business sector. This ordinance shall be effective upon provision of any required information to the Mississippi Department of Revenue. Publication shall be made pursuant to statute.

After a full discussion of this matter, Council Member Whittington moved that the foregoing Resolution to adopted and said motion was seconded by Council Member L Bryan and the vote thereupon was as follows:

| | |
|-----------------------------------|------------|
| Council Member Markel Whittington | <u>AYE</u> |
| Council Member Lynn Bryan | <u>AYE</u> |
| Council Member Travis Beard | <u>AYE</u> |
| Council Member Nettie Davis | <u>AYE</u> |
| Council Member Buddy Palmer | <u>NO</u> |
| Council Member Mike Bryan | <u>NO</u> |
| Council Member Willie Jennings | <u>NO</u> |

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The motion having received the foregoing vote of the City Council, the president declared the motion carried and the Ordinance adopted on this, the 9th day of April, 2020.

CITY OF TUPELO, MISSISSIPPI

By: Nettie Y. Davis
NETTIE Y, DAVIS
Council President

ATTEST

Missy Shelton
MISSY SHELTON, Council Clerk

APPROVED:

J. Shelton
JASON SHELTON, MAYOR

April 9, 2020
DATE

City of Tupelo, Mississippi Street Map

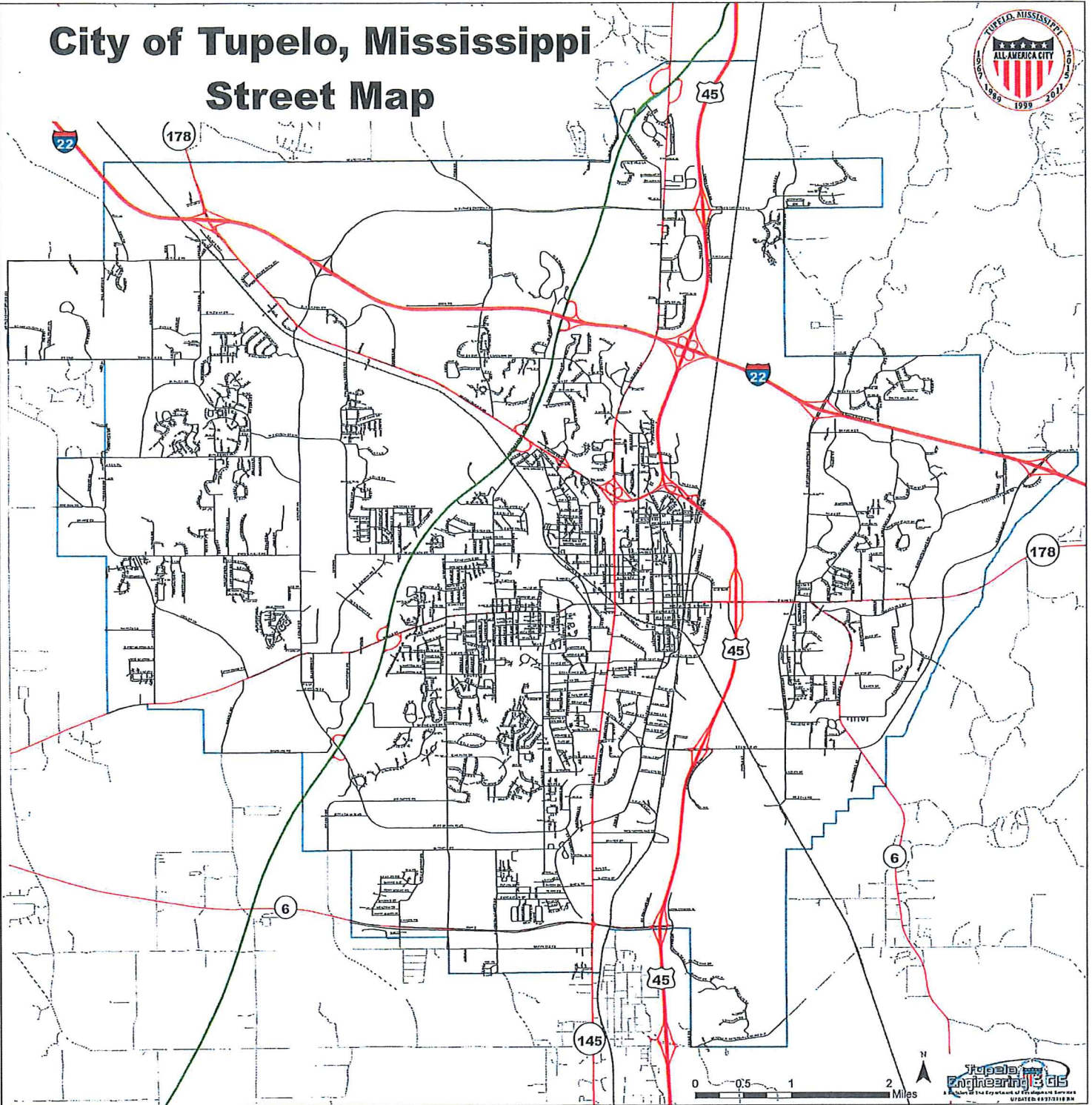


Exhibit
"B"



TEMPORARY GUIDELINES

1. What does this ordinance mean?

At its most basic definition, this temporary ordinance means anyone within the Leisure and Recreation District, 21 or older, may purchase alcohol to go with a curbside takeaway meal with a minimum \$10 food purchase.

2. What is the temporary Leisure and Recreation District?

The Tupelo City Council has voted to expand on a temporary basis the Leisure and Recreation District for the city limits of Tupelo.

3. How long is this temporary ordinance in effect?

Upon ABC review, this temporary expansion of the Leisure and Recreation District is in effect as long as the Governor's Executive Order 1466 is in effect, 90 days from ABC review or earlier review by city council, whichever comes first. The Tupelo City Council can at any time review and amend this ordinance.

4. What is the approved cup?

Any 20 oz. cup or smaller with a lid and NO STRAW INSERTED. It is recommended not to provide a straw at all with these to go alcohol drinks.

5. What are the approved hours?

Monday at 10:00 a.m. until Saturday at 11:59 p.m.

6. Can I buy more than one drink? Can I sell a bottle of wine and a mix drink/beer?

You may buy 2 drinks per entrée (\$10.00 purchase).

7. What if I want to break the rules?

The City of Tupelo has worked closely with the Tupelo Police Department to ensure that the rules are followed and everyone is safe.

NOTE: THIS ORDINANCE DOES NOT ALLOW DRIVING WITH AN OPEN CONTAINER. It is illegal to have an open container inside of a car ANYWHERE within the City of Tupelo.