

**AFFIDAVIT OF PUBLICATION**

**THE STILWELL DEMOCRAT JOURNAL**

PLEASE SEE ATTACHED COPY  
FOR

**CITY OF STILWELL  
ORDINANCE 388-B**

Published in the Stilwell Democrat Journal  
October 10, 2018

State of Oklahoma

County of Adair Keith Neale, of lawful age, being duly sworn and authorized says he is the Editor of the Stilwell Democrat Journal newspaper printed in the City of Stilwell, Adair County, Oklahoma, a newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971 as amended, and complies with all other requirements of the laws of Oklahoma with references to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper and not any supplements thereof, for .....consecutive weeks:

1st insertion Oct. 10th, 2018  
2nd insertion \_\_\_\_\_, 20  
3rd insertion \_\_\_\_\_, 20  
4th insertion \_\_\_\_\_, 20  
5th insertion \_\_\_\_\_, 20

Keith W. Neale  
Editor

I-2018-002832 Book0549Pg: 611  
10/30/2018 11:47 pm Pg 0611-0616  
Fee: \$ 23.00 Doc: \$ 0.00  
Cathy Harrison - Adair County Clerk  
State of Oklahoma

Subscribed and sworn to me before this 10 day of  
October 2018

[Signature]  
Notary Public

9-30-21  
My Commission expires:

\$236.00  
Publication Fee:

CHRISTINA S. ELSON  
Notary Public - State of Oklahoma  
Commission Number 13009065  
My Commission Expires Sep 30, 2021



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OCT 15 2018

CITY CLERK

ORDINANCE 388-B

completed with all corresponding documentation.

AN ORDINANCE ADOPTING THE OKLAHOMA ALCOHOL MODERNIZATION ACT - TITLE 37A § (1) (101) ET. SEQ.; LICENSURE AND OCCUPATIONAL TAX PERMITS FOR BUSINESS ESTABLISHMENTS EFFECTIVE 8:00 A.M. OCTOBER 1, 2018; REPEALING ORDINANCE 388 AND 388-A; AND PROVIDING FOR THE SEVERABILITY THEREOF.

(b) The fee schedule, hereinafter set forth, shall be levied and collected by the Clerk, or the Clerk's representatives, for the applicable license, fees, permits, or occupational tax levies, prior to the issuance of any such license permit or conducting of business or of serving alcoholic beverages. The renewal of the fee schedule shall be updated annually in the City of Stilwell Schedule of Fees beginning with the 2019 update.

(c) Occupational Taxes relating to the Sale of Alcoholic beverages (37A § 1-103) are set forth as follows and are annually renewable on October 1 of each year:

- (1) Brewer, per year .... \$1,000.00
  - a. Brewer, Oklahoma, per year ..... 50.00
- (2) Brewpub, per year ...\$1,000.00
  - a. Brewpub, if licensee also holds a Mixed Beverage or Wine and Beer permit, per year ..... 50.00
- (3) Distiller, per year.....35.00
- (4) Retail spirits store .... 900.00
- (5) Mixed beverages, first year .... 1,000.00
  - a. Renewals, per year .... 900.00
- (6) On premises beer or wine, first year .... 500.00
  - a. Renewals, per year .... 450.00
- (7) Mixed beverage / caterer combination .... 1,250.00
  - a. Renewals, per year .... 1,250.00
- (8) Rectifier, per year .... 2,500.00
- (9) Winemaker, per year .... 500.00
  - a. Winemaker, Oklahoma, per year .... 50.00
- (10) Wholesaler, Wine and Spirits effective October 1, 2018, per year .... 2,000.00
- (11) Wholesaler, Beer Distributor and effective October 1, 2018, per year .... 500.00
- (12) Retail beer and wine (effective beginning October 1, 2018) .... 500.00
- (13) Retail spirits (effective beginning October 1, 2018) .... 1,000.00
- (14) All adult entertainment uses ..... 50.00

WHEREAS, in order to fulfill the needs of the community, policies and regulations are necessary to provide a framework for care and safety of the citizens of the City of Stilwell; and

WHEREAS, the responsibility for such is the lawful responsibility of the City of Stilwell,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

ARTICLE 1 ADOPTION OF TITLE 37A

SECTION 1 – Code Adopted – Title 37A Oklahoma Statutes.

A. Adoption; Amendments: The Alcohol Modernization Act Title 37A Oklahoma Statutes, as amended, and every recodification thereof, is hereby adopted and incorporated in this code as if set out at length herein, for the purposes of establishing locally appropriate rules and regulations for the sale and distribution of alcoholic beverages.

B. Definitions: The definitions of words used in this title shall be the same as those definitions in Title 37A Oklahoma Statutes.

C. Copies on File: The office of the City Clerk/Treasurer shall maintain at least three (3) copies of the current Oklahoma Alcohol Modernization Act Title 37A adopted by this Ordinance on file in the office of the City Clerk/Treasurer.

ARTICLE 2 GENERAL INFORMATION

Section 1 – Repeal.

Upon adoption of this Ordinance, the following shall be repealed:

A. City Ordinance 388 and 388-A

B. Any portion of any previous Ordinance in conflict herewith.

Section 2 – Severability.

A. The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions. It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

Section 3

This ordinance shall be effective and in force beginning 8:00 a.m. Monday, October 1, 2018.

ARTICLE 3 FEE SCHEDULE

Section 1 – Application & Fee schedules for licenses, permits and occupational taxes.

(a) The application for occupancy and compliance must be

(d) Occupational taxes relating to business' that do not sell alcoholic beverages:

- (1) Existing Businesses: .... 25.00, annual renewal by June 30 each successive year
- (2) New Business or Relocation of Business: .... 25.00, requires an inspection of new location

PASSED by the City Council this 5<sup>th</sup> day of October, 2018.  
APPROVED by the Mayor this 5<sup>th</sup> day of October, 2018.

/s/ Jim Spray  
Jim Spray, Acting Mayor

ATTEST:  
/s/ Larry A. Nettles  
Larry A. Nettles, City Clerk-Treasurer

(Published in the Stilwell Democrat Journal October 10, 2018)

I-2018-002832 Book0549 Pg: 612  
10/30/2018 1:47 pm Pg 0611-0616  
Fee \$ 23.00 Doc \$ 0.00  
Cathy Harrison - Adair County Clerk  
State of Oklahoma

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OCT 15 2018

CITY CLERK'S OFFICE  
Stilwell, OK



## **ORDINANCE 388-B**

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**WHEREAS**, in order to fulfill the needs of the community, policies and regulations are necessary to provide a framework for care and safety of the citizens of the City of Stilwell; and

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- (b) The fee schedule, hereinafter set forth, shall be levied and collected by the Clerk, or the Clerk's representatives, for the applicable license, fees, permits, or occupational tax levies, prior to the issuance of any such license permit or conducting of business or of serving alcoholic beverages. The renewal of the fee schedule shall be updated annually in the City of Stilwell Schedule of Fees beginning with the 2019 update.
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  - (2) New Business or Relocation of Business: .... 25.00, requires an inspection of new location

## ARTICLE 4

### OCCUPATIONAL LICENSE FOR NON-ALCOHOL RELATED BUSINESS

#### Section 1

- A. This is an annual permit businesses are required to obtain by June 30 of every year. An application for Occupancy and Compliance must be filled out.

#### Existing Permanent Business:

- A. The fee collected for an occupational license is updated annually in the City of Stilwell Schedule of Fees. These licenses may be purchased at City Hall. The fee for the 2018-19 license will be waived for all business' that complete their application prior to December 31, 2018.

#### New or Relocated Permanent Business:


- A. For a new business or a business that is relocating within the city limits of Stilwell, an occupancy and compliance application must be filled out and an inspection is required.


PASSED by the City Council this 5<sup>th</sup> day of October, 2018.

APPROVED by the Mayor this 5<sup>th</sup> day of October, 2018.

ATTEST:



  
\_\_\_\_\_  
Jim Spray, Acting Mayor

  
\_\_\_\_\_  
Larry A. Nettles, City Clerk-Treasurer