CHAPTER 1

INTOXICATING LIQUORS

SECTION
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8-101. Definitions. (1) "Alcoholic beverages" shall mean alcohol, liquor, spirits, wine, and every liquid containing alcohol, liquor, spirits, and wine capable of being consumed by a human being, other than patented medicine, beer, or wine, where the latter two (2) contain an alcoholic content of five percent (5%) by weight or less.

(2) "He" shall mean any association, corporation, firm, partnership, or person male or female.

(3) "Majority owner" shall mean any person which owns fifty-one percent (51%) or more of the business.

(4) "Manufacturer of intoxicating liquors" shall mean one who employs a minimum of twenty-five (25) full-time employees in the manufacturing of intoxicating liquors.

1Municipal code references
Driving under the influence: section 15-104.
Minors in beer places, public drunkenness, etc.: title 11 chapter 2.

State law reference
Tennessee Code Annotated, title 57.
(5) "Near" shall mean any portion of the property containing the business, any portion of another property which adjoins the property containing the business, or any portion of another property which is located within two hundred feet (200') of the property which contains the business. (as replaced by Ord. #05-08-05, Oct. 2005)

8-102. **Scope of chapter.** This chapter shall govern the manufacture of intoxicating liquor, retail package stores, and consumption on-premises (liquor-by-the-drink) of alcoholic beverages in the Town of Atoka.

Nothing in this chapter regulates the distribution, possession, receipt of, sale, storage, tax upon, or transportation upon any beverage of alcoholic content of five percent (5%) by weight or less, and no ordinance related thereto is modified by this chapter. (as added by Ord. #05-08-05, Oct. 2005)

8-103. **State laws to be complied with.** No association, corporation, firm, partnership, or person shall engage in the wholesale or retail liquor business unless all the necessary state licenses and permits have been obtained. (as added by Ord. #05-08-05, Oct. 2005)

8-104. **Classes of permits.** There shall be three (3) classes of permits issued by the board of mayor and alderman.

(1) **Class A.** A manufacturer's permit to any association, corporation, firm, partnership, or person engaged in the manufacture of intoxicating liquors to distribute, manufacture, possess, sell, store, and transport the product of the manufacturer. The product may not be consumed by the purchaser upon or near the premises of such manufacturer.

(2) **Class B.** A retail package sales or "off-site" permit where they are not to be consumed by the purchaser or other persons upon or near the premises of such seller.

(3) **Class C.** A consumption or "on-site" or "liquor-by-the-drink" permit to any association, corporation, firm, partnership, or person engaged in the sale of intoxicating liquors for consumption on the premises. (as added by Ord. #05-08-05, Oct. 2005)

8-105. **Sale of intoxicating liquor permitted only in specified zones.** It shall be lawful to distribute, manufacture, sell, or store for resale intoxicating liquors in the Town of Atoka provided that permits authorized under this chapter shall be issued for locations that are zoned as follows:

(1) Class A permits: Zoning district M.
(2) Class B permits: Zoning districts M and G-C.
(3) Class C permits: Zoning districts M, G-C, and N-C. (as added by Ord. #05-08-05, Oct. 2005)
8-106. **Inspection fees.**  (1) **Inspection fee.** There is hereby levied and imposed an inspection fee of five percent (5%) on all purchases of alcoholic beverages by the retailer.

(2) **Collection by wholesaler from retailer.** The inspection fee shall be collected by the wholesaler from the retailer at the time of the sale or at the time the retailer makes payment for delivery of the alcoholic beverages.

(3) **Fees to be held until paid to town.** Every such wholesaler shall hold the fees imposed under the authority of this section until paid to the Town of Atoka as hereinafter provided.

(4) **Monthly report – payment.** Each wholesaler making sales to retailers located within the corporate limits of the Town of Atoka shall furnish the Town of Atoka a report monthly, which report shall contain the following:
   (a) The name and address of the retailer;
   (b) The wholesale price of the alcoholic beverages sold to such retailer;
   (c) The amount of tax due under this section; and
   (d) Such other information as may be required by the town recorder.

The monthly report shall be furnished to the town recorder not later than the twentieth (20th) of the month following which the sales were made; and the inspection fees collected by the wholesaler from the retailers located within the Town of Atoka shall be paid to the Town of Atoka at the time the monthly report is made. Wholesalers collecting and remitting the inspecting fee to the Town of Atoka shall be entitled to reimbursement for this collection service a sum not to exceed five percent (5%) of the total amount of inspection fees collected and remitted such reimbursement to be deducted and shown on the monthly report to the Town of Atoka.

(5) **Failure to report and remit fees.** Each wholesaler who fails to collect and/or remit the inspection fee imposed hereunder shall be liable in addition to the tax for a penalty of ten percent (10%) of the fee due the Town of Atoka which shall be payable to the Town of Atoka.

The Town of Atoka shall have the authority to audit the records of all wholesalers subject to the provisions of this section in order to determine the accuracy of the monthly report.

(6) **Disposition of fee.** The town recorder shall deposit all funds collected hereunder in the general fund. (as added by Ord. #05-08-05, Oct. 2005, and amended by Ord. #13-09-01, Sept. 2013)

8-107. **Restriction on the hours for the sale of intoxicating liquors.** There shall not be any intoxicating liquor sold on any Sunday between the hours of 3:00 A.M. and 12:00 P.M.  (as added by Ord. #05-08-05, Oct. 2005)

8-108. **Penalties.** The license holders are responsible at all times for the conduct of their business and are at all times directly responsible for the conduct
of all employees. Any violation of any section of this chapter, upon conviction, shall be punished according to *Tennessee Code Annotated*, § 57-3-412. The board of mayor and alderman, at the time it imposes a revocation or suspension request to the alcoholic beverage commission, may offer a permit holder the alternative of paying civil penalty not to exceed two thousand five hundred dollars ($2,500.00) for each offense. This alternative is at the sole discretion of the mayor and board of alderman. If a civil penalty is offered as an alternative to revocation or suspension, the license holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension request is sent to the alcoholic beverage commission. (as added by Ord. #05-08-05, Oct. 2005)

8-109. Specific rules governing retail package stores. (1) Permit required for engaging in retail package sales of intoxicating liquor. It shall be unlawful for any corporation, firm, partnership, or person to distribute, sell, or manufacture any intoxicating liquor without first making an application to and obtaining a permit from the Town of Atoka. This application shall be made on such form as the town shall prescribe and shall be accompanied by a non-refundable deposit of two hundred fifty dollars ($250.00). Each applicant shall be of good moral character and certify that he has read and is familiar with the provisions of this chapter.

(2) Certificate of good moral character (forms and fee). Before any character certificate, as required by *Tennessee Code Annotated*, § 57-3-208 or a renewal as required by § 57-3-213 shall be signed by the mayor, or by any aldermen, an application in writing shall be filed with the town recorder on a form to be provided by the town, giving the following information:

(a) Name, age and address of the applicant.
(b) Number of years residence in the town.
(c) Occupation or business and length of time engaged in such occupation or business.
(d) Whether or not the applicant has been convicted of a violation of any state or federal law or of the violation of this code or any town ordinance, and the details of any such conviction.
(e) If employed, the name and address of employer.
(f) If in business, the kind of business and location thereof.
(g) The location of the proposed store for the sale of alcoholic beverages.
(h) The name and address of the owner of the store.
(i) If the applicant is a partnership, the name, age and address of each partner, and his occupation, business or employer. If the applicant is a corporation, the name, age and address of the stockholders and their degrees of ownership of stock in the corporation.

The information in the application shall be verified by the oath of the applicant. If the applicant is a partnership or a corporation, the application
shall be verified by the oath of each partner, or by the president of the corporation.

Each application shall be accompanied by a non-refundable investigation fee of two hundred fifty dollars ($250.00).

(3) **Certificate of good moral character (expiration and renewal).** Certificates of good moral character issued under this chapter shall expire after two (2) years or any time there is a change in ownership of the licensed establishment or any time a license issued by the alcohol beverage commission is revoked, canceled, or otherwise terminated other than by annual expiration.

(4) **Certificate of good moral character (issuance).** A certificate of compliance shall be authenticated as any other resolution of the board of mayor and aldermen if the board of mayor and aldermen while in session shall find that the applicant fulfills all the following requirements:

(a) The applicant or applicants who are to be in actual charge of the business are of good moral character and are personally known to a majority of the board of mayor and aldermen, or it is found that the applicant's general character is good.

(b) If a corporation, partnership, association or firm, the executive officers or those in control and each owner, partner, or stockholder are of good moral character and personally known to a majority of the board of mayor and aldermen.

(c) The applicant has not violated any of the provisions of this chapter or the laws of the State of Tennessee and of the United States which regulate the control of intoxicating liquors, within ten (10) years prior to the date of this application.

(d) The applicant has not been convicted of a felony within ten (10) years prior to the date of application.

(e) In the opinion of the board of mayor and aldermen the applicant is not likely to violate the law regarding sales of alcoholic beverages.

(f) The applicant or applicants meets all the other requirements of this chapter.

(5) **Certificate of good moral character (approval).** (a) An application for certificate of compliance must be submitted by all owners, partners, stockholders or directors of the store, whether same is a firm, partnership or corporation and the failure to reveal the financial interest of any person or corporation shall be grounds for the denial of the certificate of compliance and/or the revocation of the certificate of compliance. No applicant shall apply individually, as a member of a partnership, nor as a stockholder, officer or director on more than one (1) application, nor hold more than one (1) permit at the same time.

(b) A copy of each application form, questionnaire, partnership agreements or any other form of material required to be filed with the State of Tennessee Alcoholic Beverage Commission in connection with
(6) **Certificate of good moral character (filing and processing).** Filing an application. All applications submitted in accordance with this chapter shall be filed with the town recorder at least ten (10) days prior to a regular or special called meeting. The board of mayor and aldermen shall receive the applications and take appropriate action in accordance with this chapter.

(7) **Retail store restrictions and inspection.** (a) No retail store shall be permitted except on property in an industrial or general commercial zone within the Town of Atoka, Tennessee. No retail store shall be allowed when it is two hundred feet (200') or nearer from of any church or school. The distance shall be measured in a straight line from the nearest corner of each structure. If any property applying for a retail license shall adjoin another property classified as a hospital, school, church, or other place of public gathering, but meets the distance requirement of two hundred feet (200') feet, then before the permit may be issued, a solid fence of eight feet (8') in height must be erected and properly maintained along the adjoining property line at the expense of the applicant for the retail liquor license. The fence shall be substantially opaque and serve as a visual barrier between the adjoining properties. The fence shall be constructed of masonry, durable hardwoods, or a combination of masonry and durable woods.

(b) No retail store shall be located except on the ground floor and it shall have one (1) main entrance opening on a public street, and such place of business shall have no other entrance for use by the public except as hereinafter provided. When a retail store is located on the corner of two (2) streets, such retail store may maintain a door opening on each of the public streets. In addition, to the fullest extent consistent with the nature of the establishment, full, free and unobstructed vision shall be afforded from the street and public highway to the interior of the place of the sale or dispensing of alcoholic beverages there sold or dispensed. Said building shall be of a permanent type of construction and no store shall be located in a mobile home of other moveable type building. The store shall have night lighting surrounding the outside of the premises of at least two (2) foot candles, shall be equipped with a
monitored burglar alarm system and panic alarm system on the inside of
the premises, shall be equipped with an operating twenty-four (24) hour
color video recording system on the inside and outside of the premises,
and shall be of a minimum size of one thousand (1,000) square feet. All
retail sales shall be confined to the premises of the structure and no curb
service shall be permitted nor shall there be permitted drive-through
windows.

(c) Duly authorized representatives of the town shall have the
right to inspect the premises of any licensee under this chapter any time
the building is occupied.

(8) Restrictions on operators of retail liquor stores. (a) Residency
requirement. No association, corporation, firm, partnership, or person
may obtain a retail liquor license unless the majority owner is a citizen
of the United States of America and has been a full-time resident of
Tipton County, Tennessee for a minimum of two (2) years. The majority
owner of the liquor license must submit to the Town of Atoka proof of
residency on an annual basis. If the majority owner moves out of the
corporate limits of Tipton County, he must notify the town immediately
and surrender his license.

(b) Government employees prohibited from obtaining permit.
No person, member of a corporation, firm, or partnership shall operate a
retail store for the sale of alcoholic beverages herein defined if he is a
holder of a public office, either appointed or elected, or who is a public
employee of either a national, state, county, or town government except
uncompensated appointed members of boards of commissioners who have
no duties covering the regulation of permit holders under this chapter.
It shall be unlawful for any such person to have any interest in such
retail business directly or indirectly, either proprietary or by means of
any loan, mortgage, or lien, or to participate in the profits of any such
business.

(c) Number of stores. There shall be no more than one (1) retail
liquor license issued within the town for each population of at least five
thousand (5,000) according to the most recent federal census or special
census.

(d) Employees. No retailer shall employ in the distribution,
sale, or storage of alcoholic beverage any person who, within ten (10)
years prior to the date of his employment, shall have been convicted of a
felony or of any law regulating intoxicating liquors, controlled substances,
or moral turpitude and in case an employee should be so convicted after
becoming employed he shall immediately be discharged.

(e) Transfer or sale of license prohibited. The holder of a license
may not sell, assign, or transfer such license to any other person, and the
license shall be good and valid only for the calendar year in which the
same was issued and at the location specified in the license.
(f) Undisclosed interest prohibited. It shall be unlawful for any person to have ownership in or to be a director, officer, partner, or stockholder, or to participate directly or indirectly in the profits of any business for which a license is granted hereunder, unless his interest in the business and the nature, extent and character thereof shall appear on the application; or if the interest is acquired after the issuance of the license unless it shall have been fully disclosed in writing by supplement to the application filed with the commissioner of finance and revenue and approved in writing by him before such interest is acquired. Where such interest is owned by any person on or before the application for a license, the burden shall be upon such person to see that this section is fully complied with, whether he, himself, signs or prepares the application, or whether the same is prepared by another; or if such interest is acquired after the issuance of the license, the burden of the required disclosure of the proposed acquisition of the interest shall be upon both the seller and the purchaser. (as added by Ord. #05-08-05, Oct. 2005, and amended by Ord. #07-09-01, Oct. 2007, Ord. #10-02-01, May 2010, and Ord. #11-10-01, Nov. 2011)

8-110. Specific rules governing on-premise consumption. Privilege license required. (1) Before any person shall engage in the sale of alcoholic beverages, a privilege license must be obtained from the town recorder. There shall be a five hundred dollar ($500.00) fee for said license. The town recorder shall not issue said license until the applicant has qualified as the licensee under the state statutes and state rules and regulations and has exhibited to the town recorder the state retailer's license issued to the applicant by the alcohol beverage commission.

The board of mayor and aldermen may alter this fee at any time.

(2) It shall be unlawful for any person to engage in the retail sale of alcoholic beverages for on-premise consumption in the Town of Atoka without having first obtained a permit evidencing payment of the aforesaid privilege fee which shall be renewed annually. (as added by Ord. #05-08-05, Oct. 2005)
CHAPTER 2

BEER

SECTION
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8-201. Beer board established. There is hereby established a beer board to be composed of the board of mayor and aldermen. The mayor shall be the chairman of the beer board. (Ord. No. 89-11A, sec. 2-201)

8-202. Meetings of the beer board. All meetings of the beer board shall be open to the public. The board shall hold regular meetings in the town hall at such times as it shall prescribe. When there is business to come before the beer board, a special meeting may be called by the chairman provided he gives a reasonable notice thereof to each member. The board may adjourn a meeting at any time to another time and place. (Ord. No. 89-11A, sec. 2-202)

8-203. Record of beer board proceedings to be kept. The recorder shall make a record of the proceedings of all meetings of the beer board. The record

1Municipal code references
Public drunkenness, minors in beer places, etc.: title 11, chapter 2.
Tax provisions: title 5.
State law reference
For a leading case on a municipality's authority to regulate beer, see the Tennessee Supreme Court decision in Watkins v. Naifeh, 635 S.W.2d 104 (1982).
shall be a public record and shall contain at least the following: The date of each
meeting; the names of the board members present and absent; the names of the
members introducing and seconding motions and resolutions, etc., before the
board; a copy of each such motion or resolution presented; the vote of each
member thereon; and the provisions of each beer permit issued by the board.
(Ord. No. 89-11A, sec. 2-203 as amended Code 1992)

8-204. Requirements for beer board quorum and action. The attendance
of at least a majority of the members of the beer board shall be required to
constitute a quorum for the purpose of transacting business. Matters before the
board shall be decided by a majority of the members present if a quorum is
constituted. (Ord. No. 89-11A, sec. 2-204)

8-205. Powers and duties of the beer board. The beer board shall have
the power and it is hereby directed to regulate the selling, storing for sale,
distributing for sale, and manufacturing of beer within this town in accordance
with the provisions of this chapter. (Ord. No. 89-11A, sec. 2-205)

8-206. "Beer" defined. The term "beer" as used in this chapter shall
mean and include all beers, ales, and other malt liquors having an alcoholic
content of not more than five percent (5%) by weight. (Ord. No. 89-11A, sec.
2-206)

8-207. Permit required for engaging in beer business. It shall be
unlawful for any person to sell, store for sale, distribute for sale, or manufacture
beer without first making application to and obtaining a permit from the beer
board. The application shall be made on such form as the board shall prescribe
and/or furnish, and pursuant to T.C.A. 57-5-101(b), and shall be accompanied
by a non-refundable application fee of two hundred and fifty dollars ($250.00).
Said fee shall be in the form of a cashier's check payable to the Town of Atoka.
Each applicant must be a person of good moral character and certify that he has
read and is familiar with the provisions of this chapter. (Ord. No. 89-11A, sec.
2-207, as replaced by Ord. #93-11-01, § 1, Dec. 1993)

8-208. Classes of permits. There shall be three (3) classes of permits
issued by the beer board, as follows:
   (1) Class A. A manufacturer's permit to a manufacturer of beer for the
manufacture, possession, storage, sale, distribution and transportation of the
product of such manufacturer, not to be consumed by the purchaser upon or
near the premises of such manufacturer. A manufacturer of beer shall be
defined as one who employs a minimum of twenty-five (25) full-time employees
in the manufacturing of beer.
   (2) Class B. An "off-site" permit to any person or legal organization
engaged in the sale of such beverages where they are not to be consumed by the
purchaser or other persons upon or near the premises of such seller.
(3) **Class C.** An "on-site" permit to any person or legal organization engaged in the operation of a restaurant wherein the sale of beer is for consumption on the premises. A restaurant shall be defined as a business establishment whose primary business is the sale of prepared food to be consumed on the premises and less than thirty percent (30%) of its income is from the sale of beer and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment and seating capacity of at least thirty (30) people at tables, and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests.

An "on-site" permit to any person or legal organization that has been granted a liquor by the drink license by the State of Tennessee.

(4) No manufacturer, legal organization or person may hold more than one class of permit at the same location. (Ord. #89-11A, § 2-208, as replaced by Ord. #02-05-03, Aug. 2002, and amended by Ord. #03-03-01, April 2003)

8-209. **Sale of beer permitted only in specified zones.** It shall hereafter be lawful to sell, store for resale, distribute or manufacture beer in the Town of Atoka, Tennessee, provided that permits authorized by this chapter shall be issued for locations that are now zoned or may be in the future zoned as follows:

1. **Class A Permits:** Zoning Districts M.
2. **Class B Permits:** Zoning Districts GC and NC.
3. **Class C Permits:** Zoning Districts GC and NC. (Ord. #89-11A, § 2-209, deleted by Ord. #98-10-02, Nov. 1998, and replaced by Ord. #02-05-03, Aug. 2002)

8-210. **Publication notice.** Before the beer board shall issue a permit, it shall cause to be published in a newspaper of general circulation a notice in which the name of the applicant and the address of the location for such permit and the date and the time of its meeting at which such application shall be considered. The notice shall be published not less than ten (10) days prior to such meeting. Such meeting shall be a published hearing for the purpose of hearing the statement of any person or his attorney on any application for license or permit. (Ord. No. 89-11A, sec. 2-210)

8-211. **Interference with public health, safety, and morals prohibited.** No permit authorizing the sale of beer will be issued when such business would cause congestion of traffic or would interfere with hospitals, schools, churches, or other places of public gathering, or would otherwise interfere with the public health, safety, and morals. In no event will a permit be issued authorizing the sale of beer within two hundred (200) feet of any hospital, school, church or
other place of public gathering. The distances shall be measured in a straight line\(^1\) from the nearest corner of the school or church and the nearest corner of the structure where the beer is sold, manufactured or stored. If any property applying for a beer permit shall adjoin another property that is classified as a hospital, school, church, or other place of public gathering, but meets the distance requirement of 200 feet, then before the permit may be issued, a solid fence of eight feet in height shall be erected along the adjoining property line at the expense of the applicant for the beer permit. The fence which shall be substantially opaque and serve as a visual barrier between the adjoining properties shall be composed of masonry, durable woods, or combination of masonry and durable woods. (Ord. #89-11A, § 2-212, as replaced by Ord. #00-04-01, April 2000, and Ord. #05-02-01, Feb. 2005)

8-212. Issuance of permits to persons convicted of certain crimes prohibited. No beer permit shall be issued to any person who has been convicted for the possession, sale, manufacture, or transportation of intoxicating liquor, or any crime involving moral turpitude within the past ten (10) years. (Ord. No. 89-11A, sec. 2-211)

8-213. Prohibited conduct or activities by beer permit holders. It shall be unlawful for any beer permit holder to:

1. Employ any person convicted for the possession, sale, manufacture, or transportation of intoxicating liquor, or any crime involving moral turpitude within the past ten (10) years.
2. Allow any loud, unusual, or obnoxious noises to emanate from his premises or from any adjacent buildings or property owned, leased, controlled, or in the possession of the beer permit holder.
3. Make or allow any sale or gift of beer to any intoxicated person or to any feeble-minded, insane, or otherwise mentally incapacitated person, or any person under twenty-one (21) years of age.
4. Allow intoxicated persons to loiter about his premises.
5. Serve, sell, give away, or allow the consumption on his premises or in adjacent buildings of any alcoholic beverage with an alcoholic content of more than five percent (5%) by weight.
6. Allow gambling on his premises.
7. Allow consumption of any alcoholic beverage on the premises or in or on adjacent buildings or property owned, leased, controlled or in the possession of the beer permit holder.
8. Allow any open beer to be carried from the building. (Ord. No. 89-11A, sec. 2-214)

\(^1\)State law reference
See Watkins v. Naifeh, 625 S. W. 2d 104 (1982) and other cases cited therein which establish the straight line method of measurement.
8-214. **Restriction on hours for the sale of beer.** No beer shall be sold within the corporate limits of the Town of Atoka, on Monday through Saturday between the hours of 3:00 a.m. and 5:00 a.m. No beer shall be sold in the Town of Atoka on Sundays between the hours of 3:00 a.m. and 12:00 noon. (Ord. #89-11A, § 2-215, as amended by Ord. #02-05-03, Aug. 2002, and Ord. #11-11-01, Dec. 2011)

8-215. **Suspension and revocation of beer permits.** The beer board shall have the power to suspend or revoke any beer permit issued under the provisions of this chapter when the holder thereof is guilty of making a false statement or misrepresentation in his application or of violating any of the provisions of this chapter or state law or whenever it shall satisfactorily appear that the premises of any person, firm, or corporation holding a permit under this chapter are being maintained and operated in such manner as to be detrimental to public health, safety, and morals. Except as hereinafter provided, no beer permit shall be revoked until a public hearing is held by the board after reasonable notice to all the known parties in interest. Revocation proceedings may be initiated by any member of the beer board. The foregoing shall be in addition to any punishment imposed upon such holder by a court of law. (Ord. #89-11A, § 2-216, as amended by Ord. #02-05-03, Aug. 2002)

8-216. **Privilege tax.** There is hereby imposed on the business of selling, distributing, storing or manufacturing beer an annual privilege tax of one hundred dollars ($100). Any person, firm, corporation, joint stock company, syndicate or association engaged in the sale, distribution, storage or manufacture of beer shall remit the tax on January 1, 1994, and each successive January 1, to the Town of Atoka, Tennessee. At the time a new permit is issued to any business subject to this tax, the permit holder shall be required to pay the privilege tax on a prorated basis for each month or portion thereof remaining until the next tax payment date. (Ord. #93-11-01, § 1, Dec. 1993)

8-217. **Civil penalty in lieu of suspension.** The beer board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty not to exceed $1,500 for each offense of making or permitting to be made any sales to minors or; a civil penalty not to exceed $1,000 for any other offense. If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn. (Ord. #93-11-01, § 1, Dec. 1993)