



22-1113

**TITLE:** Consider/Discuss/Act on an Ordinance Amending Chapter 14, Article III, "Lawful Sale of Alcoholic Beverages," of the City of McKinney, Texas, Code of Ordinances Establishing Regulations for the Lawful Sale of All Alcoholic Beverages for Off-Premise Consumption

**COUNCIL GOAL:** Operational Excellence  
(2A: Balance available resources to accommodate the growth and maintenance needs of the city)  
(2B: Continuously provide a high level of customer service to our citizens)

**MEETING DATE:** December 6, 2022

**DEPARTMENT:** City Attorney | City Secretary

**CONTACT:** Mark Houser, City Attorney  
Empress Drane, City Secretary

**RECOMMENDED CITY COUNCIL ACTION:** Approve Ordinance

**ITEM SUMMARY:**

- This amendment allows for the retail sale of closed, unopen containers of all alcoholic beverage types by licensed sellers. The closed, unopen containers cannot be opened or consumed on the seller's premises.
- The city currently allows the sale of *beer and wine* for off-premises consumption only. The Ordinance must be amended to now include *all alcoholic beverages* as a result of the Special Local Option Alcohol Election of November 8, 2022.
- Sellers must obtain the appropriate state and local level licenses and permits as prescribed by the Texas Alcoholic Beverage Code and McKinney City Ordinances.

**BACKGROUND INFORMATION:**

- On November 17, 2021, the city issued a petition calling for a local option alcohol election to determine whether to legalize the sale of all alcoholic beverages, responsive to a request by a petition committee, in accordance with the Texas Election Code and McKinney City Charter.
- On January 18, 2022, the petition was returned to the city, and it was certified as

valid on March 1, 2022, at which time the City Council ordered a special election to be held as required by law.

- The election of November 8, 2022 resulted in the approval of the measure with seventy-four (74%) percent support and twenty-six (26%) percent opposition.
- The City Council certified the election results on November 17, 2022.

**FINANCIAL SUMMARY:** N/A

**BOARD OR COMMISSION RECOMMENDATION:** N/A

**SUPPORTING MATERIALS:**

[Ordinance](#)

[Ordinance \(redline\)](#)