

MAYOR AND COUNCIL COMMUNICATION

DATE: September 05, 2023

TO: Mayor and Council

FROM: Sandra Passailaigue, City Secretary

THROUGH: Crystal Caldera, City Manager

SUBJECT: Presentation and Discussion to Consider Approval of an Ordinance Amending the Leon Valley Code of Ordinances, Chapter 4, Business Regulations, Article 4.03 Alcoholic Beverages, Removing Section 4.03.033 Sales Near Churches, Public Schools, or Private Schools; Amending Section 4.03.035 Late Hours Permit (D)(3) Allowing for a Two-Year Permit; Amending Section 4.03.037 Beverage Fee Due Date; and Amending Appendix A Fee Schedule, A2.000 Administrative Fees

SPONSOR(S): (N/A)

PURPOSE

To discuss a proposed Ordinance amending the Leon Valley Code of Ordinances, Chapter 4, Business Regulations, Article 4.03 Alcoholic Beverages, Removing Section 4.03.033 Sales Near Churches, Public Schools, or Private Schools; Amending Section 4.03.035 Late Hours Permit (D)(3) Allowing for a Two-Year Permit; Amending Section 4.03.037 Beverage Fee Due Date; and Appendix A Fee Schedule, A2.000 Administrative Fees

1. To amend the Code requiring an annual renewal of alcoholic beverage permits to a biannual renewal, which is what TABC requires;
2. To include a \$25 certification fee to the application process which is a cost-of-service fee.
3. To remove the section related to sales near churches, public schools, or private schools entirely.

Churches - Establishments that sell alcohol are frequently located in or near shopping centers and small churches sometimes also rent spaces in these centers, which then places the alcoholic beverage store in non-conforming status.

Schools – Minors are already prohibited from purchasing alcohol. Private schools are being established in buildings that previously had other uses (School of Science and Technology – Discovery is located in an old grocery store adjacent to the HEB Marketplace). This places the alcoholic beverage stores near them in non-conforming status.

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Social – To assist the business owners in making the permit process mirror that of the state.

Economic – Will improve communication with businesses by streamlining the permit process.

Environmental – N/A

FISCAL IMPACT

Alcohol sales generate sales tax, which increases the city revenue base.

STRATEGIC GOALS

The initiative is specifically listed in the 2013 – 2014 Strategic Goals, (7) “Pursue Revenue Enhancements to Enhance City Operations”.

RECOMMENDATION

This is a continuation of last year’s adopted update to this Chapter of the City’s Code of Ordinances. It is staff’s recommendation to approve these remaining amendments.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary