

An Ordinance Amending 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

Sandra Passailaigue
City Secretary
City Council Meeting
September 19, 2023



Summary

- Question
 - **City Council is being asked to consider an Ordinance Amending 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.**
- Options
 - Recommended:
 1. No change.
 2. Allow the amendment as requested.
 3. Modify the proposed amendment.
 - Denial
 - Other
- Declaration
 - 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.

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 two-year renewal, which is what TABC requires.**
- 2. To include a \$25 Certification Fee to the application process; this is a cost-of-service fee.**

Purpose / Background

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.

Fiscal Impact

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

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.

S.E.E. Statement

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

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

Environmental Stewardship – Not Applicable