

## Sec. 6-64. Distance requirements.

- (a) No person, knowingly and intentionally, may sell or offer to sell any alcoholic beverage in or within 100 yards of a church building or within 200 yards of any school grounds.
- (b) The school buildings referred to in this section shall apply only to state county, city or church school buildings and to such buildings at such other schools in which are taught subjects commonly taught in the common school and colleges of this state, and does not include a pre-kindergarten program. The term "school building" includes only those structures in which instruction is offered.
- (c) The term "church building," as used herein, means the main structure used by any religious organization for purposes of worship.
- (d) For purposes of this section, distance shall be measured by the most direct route of travel on the ground and shall be measured in the following manner:
  - (1) In a straight line fFrom the front door of the structure from which alcoholic beverages are sold or offered for sale;
  - (2) In a straight line to the nearest public sidewalk, walkway, street, road or highway;To the front door of the building of a church, government-owned treatment center, or a retail package store, OR
  - (3) To the nearest property line of the real property being used for school or educational purposes;Along such public sidewalk, walkway, street, road or highway by the nearest route;
  - ~~(4) To the front door of the church building, or to the nearest portion of the school grounds, whichever is applicable.~~
- (e) No location which is licensed to sell alcoholic beverages on the effective date of the ordinance codified in this chapter shall be denied continued operation under an existing license, or denied any renewal of such license, nor shall any new owner of said location be denied a new license based upon the measurements set forth in this section.
- (f) As to any location licensed in the future, if the distance requirements herein are met at the time of issuance of any license, the subsequent opening and operation of a church or school within the distance prohibited herein shall not prevent the continuance of an existing license or the renewal thereof or the issuance of a new license to any subsequent owner of such property. However, notwithstanding any other provisions of this section and chapter, said use shall not be reestablished after discontinuance of 12 months, unless it shall meet the requirements of subsection (a).

- (g) An applicant for a license to sell alcohol must submit written documentation from the City's Director of Planning and Economic Development or his/her designee that the applicant meets the distance requirements as set forth herein.