

APPENDIX B – ZONING
5000 – SUPPLEMENTAL USE REGULATIONS

5400. - ALCOHOLIC BEVERAGE SALES AND SERVICE

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FOOTNOTE(S):

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State Law reference— Alcoholic beverage establishments location, Texas Alcoholic Beverage Code § 109.33. [\(Back\)](#)

[Sec.] 5410. - Definitions and terms.

All definitions and terms used in this section shall be the same as the definitions and terms of the Texas Alcoholic Beverage Code, as amended.

(Ord. No. 84-85, 8-6-1985)

State law reference— Definitions, Texas Alcoholic Beverage Code § 1.04.

[Sec.] 5430. - Sales near churches, hospitals and schools.

- A. The sale of alcoholic beverages within the city by any dealer whose place of business is within 300 feet of a church or public hospital, the measurements to be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections, is hereby prohibited.
- B. The sale of alcoholic beverages within the city by any dealer whose place of business is within 300 feet of a public or private school is hereby prohibited. The measurements of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be in a direct line from the property line of the public or private school to the property line of the place of business, and in direct line across intersections. If the place of business where alcoholic beverages are sold is located on or above the fifth floor of a multistory building, the method of measurement shall be in a direct line from the property line of a public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- C. Exceptions when locating within 300 feet from a private school. Subsection B does not apply to the sale of alcoholic beverages if the business holds a food and beverage certificate and is located within 300 feet of a private school, or the business is a premise where minors are prohibited from entering under Texas Alcoholic Beverage Code § 109.53, as amended, and is located within 300 feet of a private school. In this section, "private school" means a private school, including a parochial school that offers a course of instruction for students in one or more grades from kindergarten through grade 12, and has more than 100 students enrolled and attending courses at a single location.

(Ord. No. 84-85, 8-6-1985; Ord. No. 30-89, § V, 5-2-1989; Ord. No. 54-2003, § 2, 3-18-2003)