

Ordinance No. \_\_\_\_

An Ordinance Amending Section 5.12.220 of the Grand Junction Municipal Code Reducing the Distance Beer and Wine and Hotel and Restaurant Liquor Licensed Premises Must Be from any Parochial or Public School in the City of Grand Junction

Recitals.

44-3-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary.

44-3-313 (1)(d)(III) C.R.S. provides that "The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (1)(d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (1)(d)".

The City Council has been requested to reduce the distance for wine and beer and hotel and restaurant licenses to 450 feet in order to facilitate the redevelopment of property near 7<sup>th</sup> Street and North Avenue. Certain licenses exist near that location and a possible reuse/redevelopment of vacant property may be facilitated by adoption of the ordinance.

Furthermore, and because the distance reduction will allow only for hotel and restaurant or beer and wine liquor licensed establishments, which are licenses associated with food service, the 25-foot reduction of the distance to schools is immaterial to the safety of schools and students.

The City Council having duly considered a reduction of distance required between beer and wine and hotel and restaurant licenses and public or parochial schools does establish the required distance as provided with this ordinance.

NOW, THEREFORE, BE IT ORDAINED THAT:

Under the provisions of 44-3-313 (1)(d)(III) C.R.S., the distance that a beer and wine licensed premises must be separated a public or parochial school in the City of Grand Junction is reduced from 500 feet to 450 feet. The distance shall be determined in accordance with 44-3-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326; and,

Under the provisions of 44-3-313 (1)(d)(III) C.R.S., the distance that a hotel and restaurant licensed premises must be separated a public or parochial school in the City of Grand Junction is reduced from 500 feet to 450 feet. The distance shall be determined in accordance with 44-3-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326.

Introduced on first reading and ordered published this 6th day of January 2021.

Passed on second reading and order published this \_\_\_\_day of February 2021.

President of the Council

City Clerk