

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 61

Short Title: Zoning Denial/ABC Permit.

(Public)

Sponsors: Senators Jordan; Martin of Guilford, Gulley, Hoyle, and Marshall.

Referred to: Local Government and Regional Affairs.

February 4, 1993

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT APPLICABLE LOCAL ZONING REQUIREMENTS  
MUST BE SATISFIED TO OBTAIN AN ABC PERMIT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18B-901(c) reads as rewritten:

"(c) Factors in Issuing Permit. – Before issuing a permit, the Commission shall be satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which he has applied. To be a suitable place, the establishment shall comply with all applicable building and fire ~~codes.~~ codes, and shall satisfy all applicable zoning regulations. Other factors the Commission may consider in determining whether the applicant and the business location are suitable are:

- (1) The reputation, character, and criminal record of the applicant;
- (2) The number of places already holding ABC permits within the neighborhood;
- (3) Parking facilities and traffic conditions in the neighborhood;
- (4) Kinds of businesses already in the neighborhood;
- (5) Whether the establishment is located within 50 feet of a church or public school or church school;
- ~~(6) Zoning laws;~~
- (7) The recommendations of the local governing body; and
- (8) Any other evidence that would tend to show whether the applicant would comply with the ABC laws and whether operation of his business at that location would be detrimental to the neighborhood."

1           Sec. 2. This act is effective upon ratification.