

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 179

Short Title: ABC Comm. – Consider Proximity of Licensees. (Public)

Sponsors: Representatives Oldham, Gray, Decker, Esposito, Sexton, Womble;
Barefoot, Bonner, Coates, Hurley, Lucas, Tolson, and Yongue.

Referred to: Alcoholic Beverage Control.

February 20, 2001

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION
TO CONSIDER PROXIMITY TO SCHOOLS AND CHURCHES AS A FACTOR
IN THE DECISION TO APPROVE APPLICATIONS FOR ABC PERMITS BY
ESTABLISHMENTS LOCATED WITHIN 250 FEET OF A CHURCH OR
SCHOOL.

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. Other factors the Commission shall 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~~ 250 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."

SECTION 2. This act is effective when it becomes law.