

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 6, SECTION 6-2, ALCOHOLIC BEVERAGES-SALE NEAR CHURCH, SCHOOL OR HOSPITAL; PROVIDING A SEVERABILITY CLAUSE; AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Seguin regulates the sale of alcohol near churches, schools, and hospitals as permitted by Section 109.33 of the Texas Alcoholic Beverage Code; and

WHEREAS, the method of measurement of the distance between the place of business where alcoholic beverages are sold and the church, school, or hospital is also regulated by Section 109.33 of the Alcoholic Beverage Code; and

WHEREAS, Section 6-2 of the Seguin Code of Ordinances needs to be amended to reflect the current measurement methods as adopted in Section 109.33 of the Texas Alcoholic Beverage Code.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Seguin, Texas, as follows:

PART ONE. The Seguin Code of Ordinances, Section 6-2, Alcoholic Beverages, Sale near Church, School or Hospital, is hereby amended as follows (underlining indicates added text, strikethrough indicates deleted text):

Section 6-2. - Sale near church, school or hospital.

It shall be unlawful for any person to sell any beer, wine, intoxicating liquor or other alcoholic beverage, as defined in V.T.C.A., Alcoholic Beverage Code § 1.04, at any place of business located within 300 feet of any church; public, private or parochial school; or public hospital. The measurements of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door and in a direct line across intersections of streets, where such intersections occur, pursuant to V.T.C.A., Alcoholic Beverage Code § 109.33. The measurement 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 a direct line across intersections; or if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the 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.

PART TWO. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

PART THREE. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

PART FOUR. This ordinance shall be published in a newspaper of general circulation.

PART FIVE. This ordinance shall be effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

PASSED AND APPROVED on the first reading this 7th day of January 2025.

PASSED AND APPROVED AND ADOPTED on the second reading this 21st day of January 2025.

Donna Dodgen, Mayor

ATTEST:

Kristin Mueller, City Secretary