

155.504 ALCOHOLIC BEVERAGE ESTABLISHMENTS

(A) Scope of regulations. The following regulations shall apply to the location, design, construction, operation, and maintenance of all places or establishments where alcoholic beverages are sold or dispensed, and shall be in addition to other requirements or limitations of this LDC. Cross-reference: Alcoholic beverages, sale and licensing regulations, see Ch. 110.

(B) Locations near day care, religious institutions, and schools

1. Establishments for the sale of alcoholic beverages shall be located not nearer to any day care, religious institutions, public, private, or parochial, elementary, middle, or high school, than 200 feet airline measurement; measurements being between the nearest entrance to the alcoholic beverage establishment and the nearest entrance to the day care, religious institutions, public, private, or parochial, elementary, middle, or high school. However, the aforesaid separation requirement shall not apply to:

(a) An establishment incidental to and within a portion of a building used for a restaurant or a restaurant bar.

(b) An establishment incidental to and within a portion of a building used as a hotel bar.

(c) An establishment incidental to and within a bona fide nonprofit private club where only members and their guests are served.

2. Where an establishment for the sale of alcoholic beverages is located in conformity with the provisions of this LDC, the subsequent locating of a day care, religious institutions or school in the proximity of that existing establishment shall not be construed to cause that establishment to be in violation of this LDC.

(C) Beer and wine package stores. There shall be no separation requirement or limitation applicable to the location of places for the sales of beer or wine for consumption off the premises.