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AMENDMENT TO SECTION 1.33(6)

Section 1.33(6) Permits Not To Be Issued To Premises Within The Following Stated Distances From Church Or School Building. No permit for the sale or dispensing of alcoholic beverages shall be issued nor any existing permit transferred to any location within the following prohibited distances of any church or school building, such distances to be calculated based upon the existence of the church or school building at the time the application is accepted by the agency for processing:

- A. **Retail Liquor Permit.** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- B. **Off Premises Retail Beer Permit to be Issued to ~~Package Retail Liquor Outlet Store~~.** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- C. **~~Exception for Retail Liquor Store Outlets Which are Within One Thousand Feet of a Church or School Building on the Date of August 13, 2001.~~** As an exception to subdivisions A & B of this subsection, if any retail liquor business in this state already exists within one thousand (1000) feet of one or more churches or school buildings on August 13, 2001, then that same retail liquor store may be allowed to transfer to a new location that is within one thousand (1000) feet of the closest church or school building to the present liquor store, but not within 600 feet of any church or school building, if the new location is determined by the Alcoholic Beverage Control Division to serve the public convenience and advantage.
(Amended 8-15-01)

For purposes of this Regulation “church “ means a church and all immediately adjacent property owned or leased by the church that is used for church purposes.

SUMMARY OF SUBSTANTIVE CHANGES

This amendment to Section 1.33(6) provides that a retail liquor store may not be located within one thousand feet (1000) from the nearest property line of the liquor store building to the nearest property line point of a church or school building.