

ORDINANCE NO. _____

An ordinance amending Section 7.16.110 of the Metropolitan Code to provide a mechanism for retail liquor establishments to obtain an exemption from the minimum distance requirements for obtaining a certificate of compliance upon approval of the Metropolitan Council by resolution.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 7.16.110 of the Metropolitan Code is hereby amended by adding the following new subsection H.:

- H. Exemption by resolution after public hearing.
 - 1. Notwithstanding any other provision of this section to the contrary, any retail liquor store shall be exempt from the minimum distance requirements set forth in subsection A. of the section upon the adoption of a resolution, after a public hearing, by the metropolitan council receiving twenty-one affirmative votes approving the exemption of the retail liquor store from said minimum distance requirements. The metropolitan clerk shall notify the Department of Law in writing upon the adoption of a resolution approving an exemption from the minimum distance requirements.
 - 2. The Department of Law shall notify the councilmember for the district in which the applicant establishment is located in writing within five business days from the date the application is filed requesting the waiver of distance requirements.
 - 3. The public hearing required by this subsection shall be conducted by the council at a regular meeting of the council. Public notification of the hearing shall be conducted pursuant to the public notification requirements for amendments to the official zoning map in accordance with Article XV of Chapter 17.40 of the metropolitan code, provided that notice by mail shall be sent to all property owners within six hundred feet of the establishment seeking the exemption from the minimum distance requirements not later than fourteen days prior to the scheduled public hearing on the resolution. Further, a public notice sign meeting the general requirements of Section 17.40.730 of the metropolitan code shall be posted on the property of the applicant seeking the exemption from the minimum distance requirements at least fourteen days prior to the scheduled public hearing. The costs for the public notification requirements shall be paid by the applicant. The applicant shall coordinate the scheduling of the public hearing with the metropolitan clerk's office prior to the filing of the resolution for purposes of including the date and time of the public hearing in the public notice to be mailed.

Section 2. Be it further enacted, that this Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Kathleen Murphy
Member of Council