

**AN ORDINANCE AMENDING SECTION 6-7 PERTAINING TO  
THE SALE OF ALCOHOL NEAR SCHOOLS**

**WHEREAS**, the City Council has determined that it shall be unlawful for any person to offer for sale, disposal, display or otherwise use or offer for use or consumption, any beer, wine or other alcoholic beverage within the confines of the city except that such offer, use sale, disposal, display or consumption shall be in conformance with the requirements of the General Statutes of North Carolina, applying; and

**WHEREAS**, North Carolina General Statute 18B-901 states that whether the establishment is located within 50 feet of a church, public school or nonpublic school shall be a factor in issuing an ABC permit,

**NOW, THEREFORE**, be it ordained by the City Council of the City of Hendersonville:

**SECTION 1.** Section 6-2 of the Hendersonville Code of Ordinances is hereby amended to read in its entirety as follows:

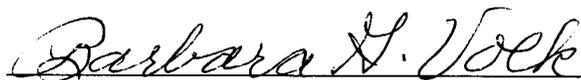
Sec. 6-7. – Sale near schools.

It shall be unlawful for any person to sell or offer for sale any beer, wine or alcoholic beverages within ~~250~~ 50 feet of a public or private school property in the city.

**SECTION 2. SEVERABILITY.** If any provision of this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this sixth day of October 2016.

  
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Barbara G. Volk, Mayor

Attest:

  
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Tammie K. Drake, MMC, City Clerk

Approved as to form:

  
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Samuel H. Fritschner, City Attorney