ORDINANCE 18-05

AN ORDINANCE AMENDING CHAPTER 120.06 (2) OF THE CODE OF ORDINANCES RELATING TO THE LOCATIONS WHERE ALCOHOL IS SOLD FOR CONSUMPTION ON PREMISES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Chapter 120, Section 120.06(2) of the Code of Ordinances is amended deleting Subsection 120.06(2) and inserting in lieu thereof the following:

120.05(2). LOCATION. 120.06 Location. The location of a building wherein there is sale of alcoholic liquor, wine, or beer for consumption on the premises shall be conducted in a properly zoned district under the City's Zoning Ordinance, Except as follows:

A. Nonprofit corporations which make application and are approved for a five-day liquor control license for special events.

In no case shall any building used for the sale of beer or liquor for consumption on the premises be within 200 feet of a building primarily used as a religious institution or school, except:

A. Permits in force on the effective date of the ordinance, or renewals thereof.

B. Permits in force prior to the establishment or relocation of any school within the 200 foot limitation

C. Businesses located within the Central Business District Commercial Zone (C-2) shall be limited by schools; not religious institutions.

D. Businesses desiring to establish that the selling of alcoholic beverages for on-premises consumption constitutes less than fifty percent (50%) of the annual gross business revenue.

E. Nonprofit corporations which make application for a five-day liquor control license, where the sale of alcoholic beverages is done on a temporary basis for special events.

Section 2: That all other sections and subsections shall remain unchanged, including all other subsections of Section 120.06.

Section 3: That all ordinances and parts of ordinances in conflict with the same are hereby repealed.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.
Passed and approved this 19th day of April, 2018.

Rene Gadelha, Mayor pro tem

ATTEST:

I, Wesley A. Nelson, City Clerk of the City of Marion, Iowa hereby certify that at a meeting of the City Council of said City, held on the above date, among other proceedings the above was adopted.

Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance shown immediately above was published in the Marion Times on the 3rd day of May, 2018.

Wes Nelson, City Clerk