

RESOLUTION NO. 1811

A RESOLUTION OF THE CITY OF ROSWELL APPROVING THE LOCATION OF CERTAIN LIQUOR LICENSES WITHIN 300 FEET OF SCHOOLS OR CHURCHES IN THE CITY OF ROSWELL.

WHEREAS, the State Legislature has enacted a new liquor control statute, Chapter 39 of the Laws of 1981, that will remove the authority of the City Council to approve and consent to issuance of liquor licenses for locations within 300 feet of schools or churches after July 1, 1981, and

WHEREAS, the City Council of Roswell, New Mexico has determined that a hardship without commensurate benefit would result were existing licensed and operating restaurant businesses within 300 feet of schools or churches to desire to apply for liquor licenses under the new provisions for liquor and restaurant licenses and were the City Council unable to approve and consent to such licenses, and

WHEREAS, the City Council has determined that existing restaurants in the City of Roswell are so located that they would pose no threat or hazard, or in any way interfere with the operation, students, or patrons of such establishments, were such restaurants to receive liquor or restaurant licenses for the sale of liquor, and

WHEREAS, the City Council has determined that future location of a liquor license at the municipal airport terminal building at the Roswell Industrial Air Center would not be detrimental to schools or churches and desires to now consent to and approve the issuance of a license at that location, and

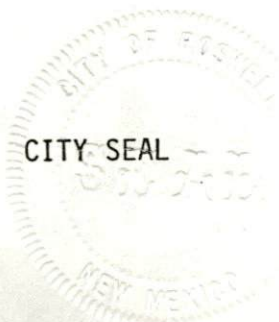
WHEREAS, the City Council finds that other locations within the present boundaries of the City that are within 300 feet of a school or church that would be acceptable as locations for liquor licenses or restaurant licenses the City Council desires to now approve and consent to issuance of such licenses,

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO that, the City Council approves and consents to the issuance of liquor or restaurant licenses in the following locations, although such locations may be within 300 feet of

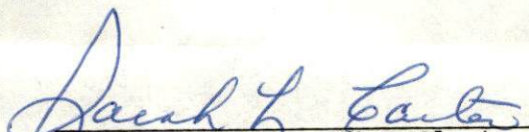
schools or churches: now existing licensed and operating restaurants; the airport terminal building at the Roswell Industrial Air Center; such other locations within the present City boundaries as may subsequently apply for issuance of a license. Provided, however that the City Council desires to and does reserve the right to withdraw such approvals in whole or in part or for specific locations and further provided that should any provision of this resolution be held invalid the remaining parts shall continue in full force and effect.

ADOPTED, SIGNED AND APPROVED this 9th day of June, 1981.

  
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L. C. STILES, Mayor



ATTEST:

  
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Sarah L. Carter, City Clerk