RESOLUTION NO. 2013-1463

A RESOLUTION GRANTING A WAIVER TO AFFORDABLE FURNITURE ALLOWING THE DISPENSING OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A CHURCH

WHEREAS, Affordable Furniture, located at 224 W. Main Street is a venue for cultural and artistic performances that qualify as public celebrations and allow for the issuance of permits for the temporary sale of alcoholic beverages; and

WHEREAS, state law provides that such permits will not be granted if the location is within 300 feet of an established church or school; and

WHEREAS, two downtown churches are located within 300 feet of Affordable Furniture; and

WHEREAS, representatives of these churches have indicated that they do not oppose the sale of alcohol at special cultural or artistic events, provided that they do not occur on Sunday or between the hours of 6:00 p.m. and 8:00 p.m. on Wednesday; and

WHEREAS, the events are beneficial to the City of Farmington and there has not been any negative impacts from the sale of alcohol at downtown events.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY of the City of Farmington, that a waiver of the 300 foot separation requirement is hereby granted to Affordable Furniture, 224 W. Main Street, for all events which otherwise meet state and city requirements. This waiver shall apply only to the current owners and will automatically expire when the business changes ownership. Thereafter, a waiver will need to be obtained for each individual event.

BE IT FURTHER RESOLVED that this “blanket” waiver shall apply only to events which take place on days and times other than those referenced above. A permit for any event that will take place on a Sunday or between the hours of 6:00 p.m. and 8:00 p.m. on Wednesday will require approval from the City Council.

PASSED, APPROVED, SIGNED AND ADOPTED this 9th day of April, 2013.

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Tommy Roberts, Mayor

SEAL

ATTEST:

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Dianne Fuhrman, City Clerk