



OFFICE OF THE CITY SECRETARY

INFORMATION ON LICENSES FOR ALCOHOLIC BEVERAGES

There have been several instances when business owners find themselves ready to open for business without the proper license to sell alcoholic beverages. Many times, businesses have to undergo a lengthy process and meet a long list of requirements before they are issued a license. The following summarized information is presented to help you navigate through this process easier and faster. Please note that this is only a general summary to make you aware of this process. You must contact the appropriate agencies as directed below to obtain detailed information.

WHO NEEDS A LICENSE?

The State of Texas requires that any person or establishment that sells or provides alcoholic beverages, whether to take out or consume on the premises, must have a license. This includes temporary permits for special events.

WHO ISSUES THE LICENSE?

The Texas Alcoholic and Beverage Commission (TABC) is responsible for issuing licenses and enforcing licensing laws. TABC has a list of requirements that need to be met before a license is issued and should be the first agency to contact. Licensing information can be found on: <http://www.tabc.state.tx.us/licensing/index.asp>. Regional TABC office contact information is:

Texas Alcoholic and Beverage Commission
Uvalde County Court House, Box 2
Uvalde, TX 78801
Tel (830) 278-3415 Fax: (830) 591-0398

HOW IS THE CITY INVOLVED?

One of TABC's requirements is that the application for a license be certified by the City Secretary of the community where the proposed business will be located. In order to do this, the City Secretary must first confirm that the property has been assigned the proper classification/designation in accordance with local laws as follows:

- For a business where alcoholic beverages will be sold to take out such as any grocery store, gasoline station, liquor store, etc., the property must be located within a **commercial zone**. Please contact the Planning Department to confirm zoning classification of properties.
- For a business where alcoholic beverages will be sold or dispensed to consume on the premises such as in a club, restaurant, bar, etc., the property must be included on the list of areas where alcoholic beverages may be consumed on-premises or what we commonly call a **wet zone**. Please contact the Office of the City Secretary to confirm wet zone designation.

WHAT IF MY PROPERTY IS ALREADY ZONED COMMERCIAL OR DESIGNATED AS A WET ZONE?

Congratulations, you are already ahead of the pack! All you need is to bring the TABC application to the City Secretary who will certify the status of your property. Charge for each certification is \$15.00.

WHAT IF MY PROPERTY IS NOT ZONED COMMERCIAL?

All properties within city limits have a zoning district classification such as residential, apartment, commercial, industrial, etc. In order to change a classification, an ordinance has to be passed by the City Council. In considering zoning changes, factors such as abutting property owners' objections/comments, aesthetics, harmony of use within area, and compliance with City Master Plan are substantially reviewed. The process takes approximately 3 months, starts with an application and ends with adoption of the ordinance. Cost for application is \$150.00. Please contact the Planning Department for more information.

WHAT IF MY PROPERTY IS NOT DESIGNATED AS "WET"?

The process to designate a property as a wet zone is very similar to a zoning change except for small differences in the application and list of requirements. An ordinance also has to be passed by the City Council. In considering a designation, factors such as the abutting property owners' objections/comments; number of similar establishments within same block; nearness to schools, churches, hospitals, or libraries; ratio of number of businesses to population; zoning classification; and harmony of use within area are substantially reviewed. The process takes about 4 months. Application cost is \$150.00. Please contact the Office of the City Secretary for more information.

WHAT IF I WANT TO HOLD A SPECIAL OR TEMPORARY EVENT?

TABC issues temporary permits in two scenarios:

- License holders may be eligible to obtain a temporary permit to sell or serve alcoholic beverages at an event taking place at a location separate from their TABC-licensed property.
- Civic, religious or charitable organizations may be eligible to obtain a temporary permit to sell or serve alcoholic beverages at a special event not being held on TABC-licensed property.

Again, as part of TABC's process, the City is required to certify the application as to the proper classification or designation. Please contact TABC for more information on temporary permits.

WHAT IF MY BUILDING WAS NOT CONSTRUCTED FOR THESE TYPES OF ESTABLISHMENTS?

Please note that conversion of an existing building from its original use to a store, bar or restaurant will require the issuance of a Certificate of Occupancy. This involves a City review of the property to determine compliance with the zoning and building safety codes. Please contact the Planning Department for more information.

WHERE DO I FIND CITY ORDINANCES ON THESE PROCESSES?

The City of Eagle Pass Code of Ordinances is located under the City Secretary's Department on our webpage at: www.eaglepasstx.us. Ordinances regulating alcoholic beverages are found on Chapter 5. Zoning changes are addressed on Section 22 of Appendix A. Building regulations are addressed in the International Building Code.

WHAT IS THE CONTACT INFORMATION FOR THE CITY?

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