

IN ACCORDANCE WITH ADA COUNTY ALCOHOL BEVERAGE LICENSE ORDINANCE, TITLE 4, CHAPTER 3, PLEASE ATTACH A DETAILED DESCRIPTION OF THE PREMISES FOR WHICH A LICENSE IS SOUGHT, ITS LOCATION, AND STREET ADDRESS.

4-3-9: LOCATION RESTRICTIONS AND DISCRETIONARY CONDITIONS ON LICENSES:

A. A license to sell alcoholic beverages for consumption upon the premises of an establishment located within an unincorporated area of Ada County may not be granted unless the applicant obtains the written consent of at least seventy five percent (75%) of the resident owners of property, or if not occupied or inhabited by a resident owner, the occupant of such property, within a radius of one thousand feet (1,000') of any part of the premises upon which alcoholic beverages are to be sold for consumption. At the time the application is submitted to the county clerk, no signature may be over one hundred eighty (180) days old. The written consent shall be filed with the application for a license; provided, however, that the consent of owners or occupants of property shall not be required to renew or to transfer such license. Where the required written consent of at least seventy five percent (75%) of the resident owners/occupants of property within a radius of one thousand feet (1,000') of any part of the premises upon which alcoholic beverages are to be sold for consumption is not obtained, the board of county commissioners, upon a showing of good cause, and upon a finding that the applicant has met all other requirements for licensure under this chapter, may issue the license or condition the license in accordance with subsection D of this section.

B. No license shall be granted unless a certificate of zoning has been issued by the Ada County zoning department if the establishment is not within an incorporated city. The zoning certificate shall be filed with the application for a license; provided, however, that the zoning certificate shall not be required to renew or transfer a license, unless a zoning certificate was not obtained when the license was originally issued, in which case a zoning certificate is required prior to renewal or transfer of the license.

C. A license to sell alcoholic beverages for consumption upon the premises of an establishment located within an unincorporated area of Ada County may not be granted where the nearest entrance to the licensed premises is within three hundred feet (300') of any part of a public school or any church or other place of worship, measured in a straight line; provided that this limitation shall not apply to any duly licensed premises that, at the time of licensing, was not within a restricted area. Where the nearest entrance to the licensed premises is within three hundred feet (300') of any part of a public school or any church or other place of worship, the board of county commissioners, upon a showing of good cause, and upon a finding that the applicant has met all other requirements for licensure under this chapter, may issue the license or condition the license in accordance with subsection D of this section.

D. Licenses may be conditioned, upon good cause, by the board of county commissioners in any reasonable manner that would benefit or protect the public safety, welfare or interest.

E. When the board of county commissioners is contemplating conditioning a license, it will give notice to the applicant or licensee of the reason or reasons for the condition and the applicant or licensee shall have fourteen (14) calendar days to respond in writing informing the board of county commissioners of any reasons why such a condition should not be placed upon the license and providing any supporting

information. No hearing shall be required unless the board of county commissioners chooses in its sole discretion to hold a hearing. (Ord. 107, 10-29-80; amd. Ord. 142, 9-18-85; amd. Ord 825, 5-20-14)