

THE STATE OF TEXAS §
COUNTY OF WILLIAMSON §

WILLIAMSON COUNTY LOCAL ALCOHOL DISTANCE REGULATIONS

WHEREAS, the Texas Alcohol Beverage Code Section 109.33 authorizes the commissioners court of a county to enact regulations applicable in the unincorporated area of the county prohibiting the sale of alcoholic beverages within certain distances of churches, public or private schools, and public hospitals; and

WHEREAS, the Texas Alcohol Beverage Code further authorizes a commissioners court to adopt additional procedures, require notice to schools, and grant variances when warranted; and

WHEREAS, the Commissioners Court of Williamson County finds that reasonable local alcohol distance regulations serve an important public purpose, protect public health and safety, and provide clarity to applicants, affected institutions, and the public; and

WHEREAS, these regulations shall apply throughout all unincorporated areas of Williamson County, Texas;

WHEREAS, these regulations shall supersede all previous Williamson County alcohol distance regulations to the extent of any conflict, except that any other Williamson County regulation not addressed herein shall remain in effect; and,

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY THAT SUBJECT TO THE REQUIREMENTS OF STATE LAW THAT THE FOLLOWING RESTRICTIONS ARE HEREBY ADOPTED:

SECTION I. DEFINITIONS

All terms have the same meaning as found in Texas Alcoholic Beverage Code Section 109, as applicable.

SECTION II. SALE OF ALCOHOL RESTRICTIONS

A. General Restrictions

1. The sale of alcoholic beverages is prohibited within 300 feet of a church, public or private school, or public hospital.
2. The sale of alcoholic beverages is prohibited within 1,000 feet of a public school, if the Commissioners Court receives and approves a request from a school district under Section 38.007, Texas Education Code.

3. The sale of alcoholic beverages is prohibited within 1,000 feet of a private school, if the Commissioners Court receives and approves a request from the governing body of the private school.
4. Except as provided by Texas Alcohol Beverage Code Section 109.331, distance restrictions for public schools also apply to a day-care center and a child-care facility as those terms are defined by Section 42.002, Texas Human Resources Code.

B. Requirements for School Requests for 1,000-Foot Restrictions

1. Requests shall be in writing and addressed to the County Judge.
2. Requests shall state the reason(s) the additional distance restriction is sought.
3. Requests shall include a map depicting the campus or school property with the requested 1,000-foot distance boundary shown.
4. Public school requests must specify:
 - a. How the request complies with Section 38.007, Texas Education Code; and
 - b. Whether the restriction is requested for one campus or district wide.
5. Requests for 1,000 foot restrictions shall be effective upon approval by Commissioners Court.
6. Williamson County shall maintain a master list of all schools with an approved 1,000-foot distance restriction on file in the County Judge's Office, available to applicants upon request.

C. Measurement Requirements

1. The measurement of the distance between the places of business where alcoholic beverages are sold are as follows:
 - a. For churches and public hospitals, the specified distance is measured along the property lines of the street fronts and from front door to front door, and in direct line across intersections.
 - b. For public or private schools, the specified distance is measured:
 - i. In direct line from the property line to property line, and in a direct line across intersections; or
 - ii. If the permit holder or license holder is located on or above the fifth story of a building, in a direct line from the property line of the school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

D. Applicant Requirements

1. Every applicant for an original alcoholic beverage license or permit shall:
 - a. Bear full responsibility for confirming all required measurements with the County Judge's Office.
 - b. Establish measurements by either:
 - i. A written measurement confirmation from the local TABC office, submitted to the County Judge's Office; or

- ii. A sworn measurements affidavit supported by a survey prepared by a Texas-licensed surveyor or engineer. The required form of affidavit is available upon request at the County Judge's Office.
2. Written Notice:
 - a. Applicants must provide written notice to any public or private school located within 1,000 feet of the business's entrance before filing a TABC application.
 - b. A copy of the notice must be submitted to TABC with the application.
 - c. This notice requirement does not apply to premises where minors are prohibited under Section 109.53, Texas Alcoholic Beverage Code.
3. The County Judge's Office shall maintain the affidavit form for Applicant use.

E. Exemptions

1. Section II. A (2.) & (3.) of these regulations do not apply to the holder of:
 - a. A retail on-premises consumption permit or license if less than 50 percent of gross receipts for the premises are from the sale or service of alcoholic beverages;
 - b. A retail off-premises consumption permit or license if less than 50 percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, are from the sale or service of alcoholic beverages; or
 - c. A wholesaler's, distributor's, brewer's, distiller's and rectifier's, or winery permit or license, or any other license or permit held by a wholesaler or manufacturer as those words are ordinarily used and understood in Chapter 102, Texas Alcoholic Beverage Code.
 - d. A performing arts facility leased to a nonprofit organization under a policy adopted under Section 11.179, Education Code.
2. Section II. A (3.) of these regulations do not apply to the holder of:
 - a. A permit issued under Chapter 30, Texas Alcoholic Beverage Code, who is operating on the premises of a private school; or
 - b. A license or permit covering a premise where minors are prohibited from entering under Section 109.53, Texas Alcoholic Beverage Code, and is located within 1,000 feet of a private school.
3. Section II. A (1.) of these regulations do not apply to the holder of:
 - a. License or permit who also holds a food and beverage certificate covering a premise that is located within 300 feet of a private school; or
 - b. A license or permit covering a premise where minors are prohibited from entering under Section 109.53, Texas Alcoholic Beverage Code, and is located within 300 feet of a private school.

SECTION III. VARIANCES

- A. The Commissioners Court may grant variances to these distance restrictions if it determines that enforcement in a particular instance:
 1. Is not in the best interest of the public;
 2. Constitutes waste or inefficient use of land or resources;
 3. Creates an undue hardship on an Applicant for a license or permit;

4. Does not serve its intended purpose;
5. Is not effective or necessary; or
6. For any other reason, after considering public health, safety, welfare, and the equities of the situation, a variance is in the best interest of the community.

B. Variance requests must identify:

1. The date the application was initiated with TABC; and
2. All reasons the variance is warranted.

C. Variance requests shall be submitted in writing to the County Commissioner for the precinct where the property is located. A Commissioner receiving the request may place the item on Commissioners Court agenda for consideration.

D. If a variance is granted, the Commissioners Court shall issue a written order identifying any conditions or limitations.

SECTION IV. SEVERABILITY

If any part or provision of these regulations or their application to any person or circumstance is held invalid by a court of competent jurisdiction, the invalidity shall be limited to that portion and shall not affect the remainder of the regulation. The Commissioners Court declares that it would have adopted the valid sections independently.

SECTION V. MISCELLANEOUS

These regulations are to activate Texas Alcohol Beverage Code Section 109.33 as it applies to churches, public or private schools, and public hospitals in Williamson County, Texas and are not meant to substitute for state law regarding the subject matter of the regulations. To the extent there is a conflict with these regulations and Texas Alcohol Beverage Code Section 109.33, as it may be amended, Texas Alcohol Beverage Code Section 109.33 shall control.

PASSED AND APPROVED BY COMMISSIONERS COURT THIS 10th DAY OF MARCH, 2026.

Steven Snell, County Judge

Terry Cook, Commissioner, Precinct 1

Cynthia Long, Commissioner, Precinct 2

Valerie Covey, Commissioner, Precinct 3

Russ Boles, Commissioner, Precinct 4