

AN ORDINANCE AMENDING CHAPTER 6 ALCOHOLIC BEVERAGES; SEC. 6-1, “PLAYING POOL WHERE BEER OR WINE DISPENSED” OF THE CHRISTIANSBURG TOWN CODE TO PERMIT AS PART OF CONDITIONAL USE PERMIT APPROVAL

WHEREAS, the Council of Town of Christiansburg, Virginia has received a formal request to consider amending Chapter 6 “Alcoholic Beverages”; Sec. 6-1, “Playing pool where beer or wine dispensed.” of the Christiansburg Town Code; and,

WHEREAS, Town Council held a public hearing on July 26, 2022 to hear comments regarding the amendments to Chapter 6 “Alcoholic Beverages”; Sec. 6-1, “Playing pool where beer or wine dispensed.” of the Christiansburg Town Code in regards to allow the selling or dispensing of alcohol in the same room as billiards or pool only when a Conditional Use Permit is granted by Town Council; and,

WHEREAS, the Town desires to create dining options and public amusement opportunities for its citizens and visitors where appropriate within the Town; and,

WHEREAS, the Town wishes to promote and increase opportunities for its business community where appropriate within the Town yet maintain regulatory authority through the Conditional Use Permit process for the protection of surrounding properties.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Sec. 6-1 of Chapter 6, “Alcoholic Beverages” of the Christiansburg Town Code is hereby amended as follows:

Chapter 6 – ALCOHOLIC BEVERAGES

Sec. 6-1. Playing *billiards or pool* where ~~beer or wine~~ *alcoholic beverages are sold or* dispensed.

- (a) *Billiards and pool are not permitted in any room where alcoholic beverages are sold or dispensed unless allowed as part of the approval for a “Public Billiard Parlors and Poolrooms” Conditional Use Permit as permitted in Chapter 42 – Zoning of the Christiansburg Town Code. Any conditions of approval of the Conditional Use Permit shall be considered as terms of the selling or dispensing of alcoholic beverages in association with the playing of billiards or pool. No license to operate or maintain a poolroom in the town shall be issued for the operation or maintenance thereof in any room where beer or wine of any kind is sold or dispensed.*

~~(b) No person shall operate or maintain, or permit to be operated or maintained, a poolroom in any room of which he is proprietor or tenant in which beer or wine of any kind is sold or dispensed in the town.~~

~~(c) No person shall engage in any game of pool or billiards, whether for compensation or not, in any room in the town in which beer or wine is dispensed.~~

* * *

This ordinance shall be effective immediately upon passage. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.


Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held August 9, 2022, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

| | <u>Aye</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|--------------------------|------------|------------|----------------|---------------|
| Mayor D. Michael Barber* | | | | |
| Samuel M. Bishop | X | | | |
| Johana Hicks | X | | | |
| Tanya Hockett | | | X | |
| Casey Jenkins | X | | | |
| Henry D. Showalter | X | | | |
| Tim Wilson | X | | | |

*Votes only in the event of a tie vote by Council.

SEAL:


Tracy Heinline, Town Clerk


D. Michael Barber, Mayor