

**To the Mayor and Members of the City Council****January 9, 2024**

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SUBJECT: CITY COUNCIL NOTIFICATION OF ALCOHOL LICENSE AND PERMIT APPLICATIONS

This report is in response to the City Council's request to stay updated on Texas Alcoholic Beverage Commission (TABC) applications submitted to the City of Fort Worth. By receiving this information early in the process, respective Councilmembers can determine whether they wish to protest a license or permit with TABC within the protest window.

TABC is the sole authority responsible for granting licenses and permits to establishments engaged in the sale or service of alcoholic beverages. When a TABC application is received, the TABC requires the city secretary to certify whether the location of the address given in the application is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance. In Fort Worth, the Development Services Department makes the determination if the location meets the City's distance requirement from protected uses and if the use is allowed within the location's zoning district and complies with the Zoning Ordinance. The Financial Management Services Revenue Division receives a Billing Acknowledgement Form. The City Secretary's Office verifies the "wet/dry" status of the location as reflected on maps maintained by the applicable county (most commonly Tarrant and Denton counties) and then certifies the appropriate area(s) on the TABC application.

TABC has a process that allows certain government officials such as the Mayor or a City Councilmember to protest an application for an original license or permit or renewal if they believe there is a risk to public safety. The filing of a protest is separate from City staff's administrative review of the TABC application and is subject to TABC's timelines and submission processes: 60 days before and up to 15 days after the date TABC updates its public database to show the application as "pending" for an original application and within 60 days of the license or permit expiration date for a renewal. If a protest is not received within the stated time, TABC will reject the protest.

To ensure timely dissemination of application information to the Mayor and Councilmembers, staff recommends sending Mayor and City Council District Directors an automated email from the City's permitting software (Accela) upon Development Services receipt of TABC applications within their respective district boundaries. Once received, the Mayor and/or City Councilmember or his/her designee may choose to submit a protest directly to TABC according to the instructions on the agency's website at <https://www.tabc.texas.gov/contact-us/file-a-complaint-protest/protest-a-license/>.

For any questions on this report, please contact D.J. Harrell, Development Services Director, at 817-392-8032.

David Cooke
City Manager