



ADMINISTRATION AND REGULATORY AFFAIRS DEPARTMENT

Regulatory Permitting Policy

Subject: **Notification Related to the Location Certification for Alcohol Licensing.**

Policy No.

ARA – 00x

Effective Date:

September 1, 2025

1. AUTHORITY

- 1.1 Chapter 3, Article I, as enabled by Sec. 109.33(e) of the Texas Alcoholic Beverage Code (T.A.B.C.)

2. PURPOSE

- 2.1 The purpose of the policy is to establish steps for location certifications for an application to be considered for alcoholic beverage eligibility under Sec. 3-2 of the Code of Ordinances.

3. POLICY STATEMENT

The City of Houston established guidelines on location certification for alcoholic beverage licenses eligible under Texas Alcoholic Beverage Code standards. The steps below will govern the processing of such applications.

4. PROCEDURES

- 4.1 This policy will be effective from the date of signature and expire upon the date of any replacing or overriding Ordinance, provision, and/or new Director's Rule Regulation.

4.2 **Application Requirements:**

4.2.1 Applicant or agent submits project for a location certification on T.A.B.C. Initial Application, Required Certification forms.

4.2.2 Submit a certified survey of the proposed alcohol-sales location.

- The survey must be prepared by a Texas licensed surveyor or state-licensed engineer.
- It must indicate distances from the property to nearby schools, daycares, public hospitals, and religious institutions.
- The survey must be dated within 60 days of submitting the TABC application.

4.2.3 Submit a signed and notarized affidavit acknowledging awareness of the location-based restrictions for alcohol sales and understanding that violations may result in suspension or revocation of certification.

4.2.4 Applicable locations will need to annually submit valid Food Establishment Permits issued by the City of Houston Health Department. Failure to comply will result in owed city fees to the City of Houston.

4.3 **Minimum Distance Requirements:**

Approved:

Date Approved:

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4.3.1 The following minimum distance requirements must be met unless an exception is granted:

- 300 feet from a religious institution:
 - Measured from front door to front door, including any public entrance leading to the sanctuary.
- 300 feet from day care centers designated as Alcohol-Free Zones:
 - Heights Preschool (2064 Oxford St.)
 - Messiah Lutheran Early Childhood Ctr. (5103 Rose St.)
- 300 feet from a public hospital
 - Measured front door to front door.
- 300 feet from a public or private school
 - Measured property line to property line.
- 1000 feet from designated Alcohol-Free Zones
 - School District or Private School with Alcohol-Free Zones
 - Spring Branch Independent School District
 - Houston Independent School District
 - Alief Independent School District
 - Incarnate Word Academy (609 Crawford St.
 - St. Mark Lutheran School (1515 Hillendahl Blvd.)
 - SER-Nino's Charter School (5815 Alder Dr.)
 - Aldine Independent School District
 - St. Agnes Academy (9000 Bellaire Blvd.)
 - Strake Jesuit College Prep. (8900 Bellaire Blvd.)
 - St. Stephens Episcopal Sch. (1805 W. Alabama St.)

4.4 **Measurement Checklist:**

4.4.1 To ensure compliance, use the following guidelines for measuring distances:

Schools: Measured from the alcohol-sales property's boundary to the school's property line. (*Refer to the attached HISD school map.*)

Religious Institutions: Measured from the **front door or sanctuary entrance** to the proposed establishment's **front door**.

(*See the attached diagram illustrating distance measurement across street intersections.*)

Public Hospitals: Measured from the **hospital's front door** to the establishment's **front door**.

4.5

Verification & Certification:

4.5.1 Once submitted, the Administration and Regulatory Affairs (ARA) Section will review the documents. Upon approval, the City will certify the application and provide you with certification for execution by the City Secretary.

4.6

Exceptions to Distance Requirements:

4.6.1 Certain exceptions to distance requirements may be granted under City ordinances:

Restaurants Near Schools:

- Under Section 3-2(g) of the Houston Code of Ordinances, restaurants may be allowed to operate within 300 feet of a school.
- Requires a binding covenant agreement between:
 - The restaurant owner,
 - The property owner, and
 - The City of Houston.

To request this exception, applicants must submit:

1. A written request for a restaurant exception package.
2. A copy of the first pages of current TABC Forms L-IA and CERT;
3. Copies of two letters from Administration & Regulatory Affairs (ARA) related to the variance request.