

**CITY OF LOGAN
RESOLUTION NO. 12-48**

**A RESOLUTION TO GIVE WRITTEN CONSENT THAT THE STATE
ALCOHOLIC BEVERAGE CONTROL COMMISSION GRANT A VARIANCE
TO THE COMMUNITY LOCATION PROXIMITY REQUIREMENTS**

WHEREAS, Utah Code Section 32B-1-202 provides that one of the factors that the Alcoholic Beverage Control Commission may consider in granting a variance to the community location proximity requirements is the issuance of a written consent by the governing body of the city; and

WHEREAS, Jack's Wood-Fired Pizza, located at 256 N. Main is requesting to become a retail licensee for purposes of alcohol sales and is located within 200 feet of a community location; and

WHEREAS, the policy established by Utah Code Section 32B-1-202 that places proximity restrictions on retail licensees for purposes of alcohol sales in relation to the Logan Library, which is a community location, should not apply because the negative impacts the state statute are meant to prevent are not present in this case; and

WHEREAS, Jack's Wood-Fired Pizza has requested that the City of Logan give written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements;

NOW THEREFORE, BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL, that this Council gives written consent that the State Alcoholic Beverage Control Commission grant a variance to the community location proximity requirements.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS
7 DAY OF AUGUST, 2012.

AYES: *Ward, Daines, Jensen, Olsen*
NAYS: *none*
ABSENT: *Quayle*



Holly Daines, Vice Chair

ATTEST:



Teresa Harris, City Recorder

Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

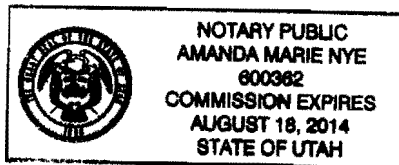
On this 31st day of July , A.D. 2012 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
07/31/2012

Monica Christensen, Assistant to the Finance Director

Subscribed and sworn to before me on this 31st day of July , A.D. 2012

Amanda Marie Nye, Notary Public
Commissioned in the State of Utah
My Commission expires August 1, 2015



NOTICE OF PUBLIC HEARING
Logan Municipal Council

The Municipal Council of the City of Logan, Utah will hold a public hearing to consider a proposed resolution to give written consent that the State of Alcoholic Beverage Control Commission grant a variance to the Community Location Proximity Requirements. Location is Jack's Wood-Fired Pizza, 256 North Main.

Said public hearing will be held Tuesday, August 7, 2012, not before 5:30 p.m. in the Municipal Council Chambers, 290 North 100 West, Logan UT.

Full text of the resolution is available for inspection at the City Recorder's Office during business hours.

Teresa Harris
City Recorder

Publication date: July 31, 2012