

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 4.1-126 of the Code of Virginia, relating to alcoholic beverage control;*
3 *powers of Alcoholic Beverage Control Board; mixed beverage licenses.*

4 [H 2288]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 4.1-126 of the Code of Virginia is amended and reenacted as follows:**8 **§ 4.1-126. Licenses for establishments in national forests, certain adjoining lands, on the Blue**
9 **Ridge Parkway, and certain other properties.**

10 A. Notwithstanding the provisions of § 4.1-124, mixed beverage licenses may be granted to
11 establishments located (i) on property owned by the federal government in Jefferson National Forest,
12 George Washington National Forest or the Blue Ridge Parkway; (ii) at altitudes of 3,800 feet or more
13 above sea level on property adjoining the Jefferson National Forest; (iii) at an altitude of 2,800 feet or
14 more above sea level on property adjoining the Blue Ridge Parkway at Mile Marker No. 189; (iv) on
15 property within one-quarter mile of Mile Marker No. 174 on the Blue Ridge Parkway; (v) on property
16 developed by a nonprofit economic development company or an industrial development authority; (vi)
17 on old Jonesboro Road between Routes 823 and 654, located approximately 5,500 feet from the City of
18 Bristol; (vii) on property developed as a motor sports road racing club, of which the track surface is
19 3.27 miles in length, on 1,200 acres of rural property bordering the Dan River in Halifax County, with
20 such license applying to any area of the property deemed appropriate by the Board; (viii) at an altitude
21 of 2,645 feet or more above sea level on land containing at least 750 acres used for recreational
22 purposes and located within two and one-half miles of the Blue Ridge Parkway; (ix) on property
23 fronting U.S. Route 11, with portions fronting Route 659, adjoining the City of Bristol and located
24 approximately 2,700 feet north of mile marker 7.7 on Interstate 81; (x) on property bounded on the
25 north by U.S. Route 11 and to the south by Interstate 81, and located between mile markers 8.1 and 8.5
26 of Interstate 81; ~~and~~ (xi) on property consisting of at least 10,000 acres and operated as a resort located
27 in any county with a population between 19,200 and 19,500; *and (xii) on property within 1,500 feet of*
28 *Interstate 81 on either frontage road between mile markers 75 and 86 in the County of Wythe.*

29 B. In granting any license under clauses (iii) and (iv) of subsection A, the Board shall consider
30 whether the (i) voters of the jurisdiction in which the establishment is located have voted by referendum
31 under the provisions of § 4.1-124 to prohibit the sale of mixed beverages and (ii) granting of a license
32 will give that establishment an unfair business advantage over other establishments in the same
33 jurisdiction. If an unfair business advantage will result, then no license shall be granted.

ENROLLED

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