

# 1997 SESSION

INTRODUCED

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## HOUSE BILL NO. 2185

Offered January 16, 1997

*A BILL to amend and reenact § 4.1-126 of the Code of Virginia, relating to alcoholic beverage control; mixed beverage licenses.*

Patrons—Woodrum and Croshaw

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That § 4.1-126 of the Code of Virginia is amended and reenacted as follows:**

§ 4.1-126. Licenses for establishments in national forests, certain adjoining lands and on the Blue Ridge Parkway.

A. Notwithstanding the provisions of § 4.1-124, mixed beverage licenses may be granted to establishments located (i) on property owned by the federal government in Jefferson National Forest, George Washington National Forest or the Blue Ridge Parkway; (ii) at altitudes of 3,800 feet or more above sea level on property adjoining the Jefferson National Forest; (iii) at an altitude of 2,800 feet or more above sea level on property adjoining the Blue Ridge Parkway at Mile Marker No. 189; (iv) on property within one-quarter mile of Mile Marker No. 174 on the Blue Ridge Parkway; (v) on property developed by a nonprofit economic development company or an existing industrial development authority and; (vi) on old Jonesboro Road between Routes 823 and 654, located approximately 5,500 feet from a city having a population between 17,500 and 18,500; and (vii) at an altitude of 2,645 feet or more above sea level on land containing at least 750 acres used for recreational purposes and located within two and one-half miles of the Blue Ridge Parkway.

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

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