

ORDINANCE NO. 3971

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS AUTHORIZING A VARIANCE TO THE DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION ON 1.232 ACRES LOCATED AT 6305 PRECINCT LINE ROAD, PURSUANT TO CHAPTER 6, ARTICLE II, SECTION 6-31, OF THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY; PROVIDING FOR SAVINGS; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 6-31(e) of the North Richland Hills Code of Ordinances authorizes the City Council to grant variances from the alcohol distance requirements prescribed by Section 6-31 (Sale of alcoholic beverages prohibited near churches, schools, etc.) of the Code of Ordinances, City of North Richland Hills, Texas; and

WHEREAS, Citizens NRH Joint Venture, the owner of 1.232 acres of property located at 6305 Precinct Line Road, and the tenant, Cornerstone Venture Holdings LLC, DBA Burattino Brick Oven Pizza, have submitted a request to permit on-premise consumption of alcohol pursuant to specific permits allowed the Texas Alcoholic Beverage Code, and is requesting a variance to the alcohol distance standards for the property; and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, finds that the enforcement of the alcohol distance requirements in this particular instance is not in the best interest of the public; constitutes waste or inefficient use of land or other resources; creates an undue hardship on an applicant for an alcohol permit; does not serve its intended purpose; and is not effective or necessary; and

WHEREAS, the City Council desires to grant the alcohol distance variance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1: The City Council hereby finds the recitals above to be true and correct, and such recitals are hereby incorporated into this Ordinance as if written herein.

- SECTION 2:** The City Council hereby grants and authorizes a variance to the alcohol distance requirements prescribed by Section 6-31 of the Code of Ordinances, North Richland Hills, Texas for property located at 6305 Precinct Line Road, as described in **Exhibit “A,”** attached hereto and incorporated herein (the “Property”), subject to the restrictions and conditions set forth and described in in **Exhibit “B,”** (Restrictions and Conditions on Variance) attached hereto and incorporated for all purposes.
- SECTION 3:** This variance may be revoked by the City Council in the event the applicant is found to be in violation of this Ordinance, Chapter 6 of the North Richland Hills Code, or the Texas Alcoholic Beverage Code.
- SECTION 4:** This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of North Richland Hills, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.
- SECTION 5:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.
- SECTION 6:** Any person, firm, or corporation violating any provision of Chapter 6 of the Code of Ordinance of the City of North Richland Hills as amended hereby shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and is punishable hereunder.
- SECTION 7:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this Ordinance as required by law, if applicable.

SECTION 9: This Ordinance shall be in full force and effect upon publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 10th day of August, 2026.

CITY OF NORTH RICHLAND HILLS

Jack McCarty, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Bradley A. Anderle, City Attorney

APPROVED AS TO CONTENT:

Cori Reaume, Planning Director