

ENROLLED ORDINANCE NO. 17-011

AN ORDINANCE AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS, REVISING CHAPTER 5.04 ALCOHOLIC BEVERAGES, SECTIONS 5.04.170 “ISSUANCE OR DENIAL”; 5.04.210(B) “TERM – TRANSFER, ETC.”, OF THE RIVERTON MUNICIPAL CODE AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

Section 1. **Section 5.04.170 Issuance or denial** is hereby added to read as follows:

A. Any license or permit authorized under this code shall not be issued, renewed or transferred until on or after the date set in the notice for hearing protests. If a renewal or transfer hearing, the hearing shall be held no later than thirty (30) days preceding the expiration date of the license or permit. A license or permit shall not be issued, renewed or transferred if the city council finds from evidence presented at the hearing:

1. The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;
2. The purpose of this chapter shall not be carried out by the issuance, renewal or transfer of the license or permit;
3. The number, type and location of existing licenses or premises meet the needs of the vicinity under consideration;
4. The desires of the residents of the city will not be set or satisfied by the issuance, renewal or transfer of the license or permit; or
5. Any other reasonable restrictions or standards which may be imposed by the city council shall not be carried out by the issuance, renewal or transfer of the license or permit.

~~B. The owner and holder of an expired liquor license or permit or one due for expiration has a preference right to a new license for the same location. After the required notice and a public hearing, each application claiming renewal preference shall be promptly considered and acted upon by the city council.~~

~~C.~~ B. When any application is filed with the city ~~council~~ clerk, the city ~~council~~ clerk shall immediately forward a copy of the application to the commission. Upon approval or denial of an application, the city ~~council~~ clerk shall promptly notify the commission.

~~D.~~ C. An applicant for a renewal license or permit may appeal to the district court from an adverse decision by the city council. No applicant for a new license shall have a right of appeal from the decision of the city council denying an application. (Prior code § 3-13)

Section 2. **Section 5.04.210(B) Term – Transfer, etc.** is hereby amended to read as follows:

B. Except as herein provided, no license shall be transferred or sold, nor shall it be used for any place not described in the license at the time of issuance, nor shall it be subject to attachment, garnishment or execution. No refund of all or any part of any license fee shall be made at any time following the issuance thereof. ~~Upon the expiration of any license, the owner thereof shall have a preference right to a new license if such license may be granted under this article. (Prior code § 3-17)~~

Section 3. This ordinance shall take effect from and after its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING	<u>May 2, 2017</u>
PASSED ON SECOND READING	<u>May 16, 2017</u>
PASSED ON THIRD READING	<u>June 6, 2017</u>

PASSED, APPROVED AND ADOPTED this 6th day of June, 2017.

CITY OF RIVERTON, WYOMING

By: _____
John L. Baker
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

ATTESTATION

I, Kristin S. Watson, City Clerk of the City of Riverton, attest that Ordinance #17-011 was passed, approved, and adopted by the Governing Body of the City of Riverton on the 6th day of June, 2017. I further certify that the above ordinance ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Kristin S. Watson
City Clerk/Human Resource Director