

ENROLLED ORDINANCE NO. 15-005

AN ORDINANCE AMENDING TITLE 5 “ALCHOLIC BEVERAGES” TO REVISE CHAPTER 5.04, SECTIONS 5.04.100, 5.04.150, 5.04.180(A)(5), 5.04.230 (B)(2) and) (5) AND 5.04.240(B)(4) 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. 5.04.100 of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

5.04.100 Permit for retail sales at picnics, bazaars, fairs, etc.
Applicants for a malt beverage permit shall complete and submit an application, no less than forty eight (48) hours prior to the event. Applications will be reviewed by the Chief of Police or designee and the City Clerk or designee. The permit will be issued by the City Clerk or his/her designee without public notice or hearing, to any responsible person or organization for the sale of malt liquors only at a picnic, bazaar, fair, rodeo, or similar public gathering. No person or organization holding such permit shall sell any alcoholic liquor except malt liquors on the premises described on the permit. The permit shall be issued only for the day or days named therein and it shall not authorize the sale of malt liquors for more than two days by any one person or organization in any one calendar year with the exception of a picnic, bazaar, fair, rodeo, or similar public gathering. The city council may attach rules and regulations and other stipulations they deem appropriate to this permit. The cost of such permit shall be fifty dollars (\$50.00) for a non-profit organization and one hundred dollars (\$100.00) for any responsible individual or organization or such amount as the council may set from time to time by resolution. (Ord. 07-012 § 1 (part), 2007: prior code § 3-8)

5.04. 150 of the Riverton Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

5.04-150 Notice of Application.
When an application has been filed in the office of the city clerk under this article, it shall be the duty of the clerk to publish, once a week for *two* consecutive weeks, in a newspaper of general circulation in the city. *The city clerk shall also post the notice on the city or town's official website if one exists. The notice shall state that a named applicant has applied for a license, permit, renewal or transfer thereof, and that protests against the issuance, renewal or transfer of the license or permit will be heard at a designated meeting of the licensing authority.* Notices may be substantially in the following form:

NOTICE OF APPLICATION FOR A _____

Notice is hereby given that on the _____ day of _____, 20____, one _____ filed an application for a _____ license, in the office of the Clerk of the City of Riverton for the following described place

(insert description)

and protests, if any there be, against the issuance of such license will be heard at the hours of _____. M, on the _____ day of _____, 20____, in the City Hall.

Date _____

Signed _____

Each applicant shall, at the time of filing his application, pay the clerk an amount sufficient to cover the cost of publishing the notice provided for in this section. (Prior code § 3-11)

Section 5.04.180(A)(5) of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

5.04-180(A)(5) Restrictions on Issuance.

Any licensee who does not annually purchase at least *five hundred dollars* (\$500.00) of alcoholic or malt beverages from the commission or any authorized malt beverage wholesaler, except any licensee having a planned building not in existence or not operational pursuant to subsection (A)(4) of this section; *A retail liquor license shall not be renewed if the licensee did not, during the previous one (1) year term of the license, purchase at least two thousand dollars (\$2,000.00) of alcoholic or malt beverages or a combination thereof from the commission or any authorized malt beverage wholesaler*

Section 5.04.230(B)(2) and (B)(5) of the Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

5.04.230(B)(2) – Issuance of liquor licenses by category.

Special Club License. The applicant must be a bona fide club as defined by Wyoming Statutes, Section 12-1-101(a)(~~ii~~)(iii): At least fifty-one (51) percent of the membership of a social club as defined by Wyoming Statutes, Section 12-1-101(a)(~~ii~~)(iii)(E), shall sign a petition, prescribed by the Wyoming State Liquor Commission, indicating a desire to secure a special club license. A club holding a special club license shall not sell alcoholic or malt beverages for consumption anywhere except within the licensed premises and for consumption by its members and their accompanied guests only. *It shall be the duty and obligation of the club to check and regulate sales to members and their accompanied guests to insure that all alcoholic or malt beverages sold are consumed within the building, space or premises.*

5.04.230(B)(5) – Issuance of liquor licenses by category.

Catering Permit. *Applicants for a catering permit shall complete and submit an application, no less than forty eight (48) hours prior to the event. Applications will be reviewed by the Chief of Police or designee and the City Clerk or designee. The permit will be issued by the City Clerk or his/her designee without public notice or hearing, to any person holding a retail liquor license. A catering permit shall entitle the holder to sell alcoholic or malt beverages off premises at meetings, conventions, private parties and dinners or similar gatherings not capable of being held within the licensed premises. The permit holder shall abide by all rules and regulations associated with his/her retail liquor license and shall not be permitted to sell or permit consumption of alcoholic or malt beverages off the premises described in the permit. The permit shall be for twenty-four (24) hours and the hours of sale must conform to Section 5.04.050. No retail liquor license holder shall receive more than a total of twenty-four (24) catering permits for sales at the same premises within the normal term of the retail liquor license, April 1st through March 31st of each year. The cost of such permit shall be one hundred dollars (\$100.00) for such permits within City limits, and twenty-five dollars (\$25.00) for such permits outside City limits, or such amount as the council may set from time to time by resolution. (Ord. 07-012 § 1 (part), 2007; prior code § 3-19)*

5.04. 240(B)(4) of the Riverton Municipal Code for the City of Riverton, Wyoming is hereby amended to read as follows:

5.04.240(B)(4) - Issuance of Liquor Licenses by Category

Restaurant License. Applicants must submit a valid food service permit upon application. The applicant must satisfy the city council that the primary source of revenue from the operation of the restaurant will be derived from food services. The applicant, for renewal, must present a profit and loss statement audited by a

recognized public accountant, separated into two categories: (1) food service sales; and (2) alcoholic and malt beverage sales, showing a breakdown of gross sales indicating that not less than sixty (60) percent of gross sales from the preceding twelve (12) months of operation was derived from food services. No restaurant license shall be transferred to another location but license ownership may be transferred to a purchaser or lessee of the licensed premises with the approval of the city council. Restaurant licensees shall not sell alcoholic or malt beverages for consumption off the premises. Alcoholic and malt beverages shall be dispensed and prepared for consumption in one room upon the licensed premises separated from the dining area where served. No consumption of alcoholic or malt beverages shall be permitted in the dispensing room, nor shall any person, other than employees over *eighteen (18)* years of age, be permitted to enter the dispensing room. If a restaurant has a dispensing room separate from the dining area which was licensed prior to February 1, 1979, for the purposes of alcoholic or malt beverage sales and consumption, the restaurant may dispense alcoholic or malt beverages in the separate dispensing room under a restaurant license, and any person over the age of *eighteen (18)* is permitted to enter the separate dispensing room.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

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

PASSED ON FIRST READING	February 3, 2015
PASSED ON SECOND READING	February 17, 2015
PASSED ON THIRD READING	March 3, 2015
PASSED AND APPROVED this 3rd day of March, 2015.	

CITY OF RIVERTON, WYOMING

By: _____
John L. Baker
Mayor

ATTEST:

Courtney V. Bohlender, City Clerk
Administrative Services Director

ATTESTATION

I, Courtney V. Bohlender, Clerk of the City of Riverton, attest that Ordinance# 15-005 was passed, approved, and adopted by the Governing Body of the City of Riverton on the ____ day of _____, 2015. I further certify that the above ordinance was publicized 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 _____.

Courtney V. Bohlender
City Clerk/Administrative Services Director