

Title 3

ALCOHOLIC BEVERAGES*

Chapter 1. In General

- Sec. 3-101. Applicability of State law.
- Sec. 3-102. Licenses and permits; fees.

Chapter 2. Restrictions Upon Licensees and Permittees

- Sec. 3-201. Hours of operation.
- Sec. 3-202. Persons under 21 years of age.

***State law reference**—Alcoholic beverages, W.S. 12-1-101 et seq.

CHAPTER 1. IN GENERAL

Sec. 3-101. Applicability of State law.

Except as otherwise provided in this title or elsewhere in this Code, the regulation of licenses and permits to dispense alcoholic and malt beverages in the Town as authorized under W.S. Title 12 shall be governed under W.S. Title 12. All terms used in this title for which meaning is ascribed under W.S. Title 12 shall have such meaning as ascribed under W.S. Title 12, except and unless otherwise defined in this title. The Town shall have such authority and responsibility as set forth under W.S. Title 12; provided, however, that the Town shall have and retain discretion regarding the exercise of such authority and responsibility. As used in this title, the term "State law" means W.S. Title 12.

(Ord. No. 6-2011, § 2(3-101), 7-25-2011)

Sec. 3-102. Licenses and permits; fees.

(a) The Town shall determine the number of licenses and permits to be issued by the Town under the applicable provisions of State law. The Town may issue no or fewer licenses and permits than the total number allowed by applicable State law.

(b) The annual fees for the following licenses shall be:

- (1) Retail \$1,500.00.
- (2) Limited retail—club \$1,500.00.
- (3) Restaurant \$1,250.00.
- (4) Bar and grill \$3,000.00.

(c) The fees for the following permits shall be:

- (1) Malt beverage \$50.00.
- (2) Catering \$50.00.

(d) The fee to transfer ownership or location of a license or permit shall be \$25.00.

(e) Except as otherwise provided in this section, the amount of any fee provided under State law to be paid to the Town as the licensing authority shall be the maximum amount allowed by the applicable State law.

(f) An application to issue, renew or transfer a license or permit for which notice must be published shall be accompanied by an amount determined by the Town Clerk/Treasurer to be sufficient to cover the costs of the required publication. Any amount paid in excess of the amount required for publication shall be refunded to the applicant.

(Ord. No. 6-2011, § 2(3-102), 7-25-2011; Ord. No. 2-2017, § 1, 3-13-2017)

State law reference—Local licenses, W.S. 12-4-101 et seq.

CHAPTER 2. RESTRICTIONS UPON LICENSEES AND PERMITTEES**Sec. 3-201. Hours of operation.**

(a) Excluding permittees of catering and malt beverage permits, and subject to such additional restrictions and limitations as provided by applicable state statutes, no licensee or permittee shall sell or otherwise dispense, serve or deliver any alcoholic or malt beverage except during the hours from 6:00 a.m. through 2:00 a.m. on the following day except and unless otherwise specifically authorized by the Town.

(b) Notwithstanding Subsection (a) of this section, persons holding catering and malt beverage permits shall not sell or otherwise dispense, serve or deliver any alcoholic or malt beverage except on the days and during the hours authorized by the Town.

(c) Excluding permittees of catering and malt beverage permits, no licensee shall allow or permit the consumption of alcoholic or malt beverages in the licensee's licensed building or any other area where the licensee is authorized to sell or otherwise dispense, serve or deliver alcoholic or malt beverages during the hours from 2:30 a.m. to 6:00 a.m., except and unless otherwise specifically authorized by the Town.

(Ord. No. 6-2011, § 2(3-201), 7-25-2011; Ord. No. 9-2017, § 1, 8-14-2017)

State law reference—Authority to set hours of operation, W.S. 12-5-101.

Sec. 3-202. Persons under 21 years of age.

(a) Persons under twenty-one (21) years of age may enter and remain in a licensed building under a restaurant liquor license, and any outside adjacent service area approved by the Town, at any time; provided, however, that no person under twenty-one (21) years of age shall enter the dispensing rooms in which alcoholic or malt beverages are prepared and dispensed for consumption, except for employees of the restaurant liquor licensee who are eighteen (18) years of age or older and only for the purpose of serving alcoholic or malt beverages in the course of employment. Service does not include the preparation or dispensing of alcoholic or malt beverages. For a golf course upon which a restaurant liquor license is operational and a dispensing area on the premises of the golf course has been approved by the Town, no person under twenty-one (21) years of age shall stand, sit or loiter in the designated dispensing area in which alcoholic or malt beverages are prepared and dispensed for consumption, except employees of the restaurant liquor licensee who are eighteen (18) years of age or older and only for the purpose of serving alcoholic or malt beverages in the course of employment. Service does not include the preparation or dispensing of alcoholic or malt beverages.

(b) Persons under twenty-one (21) years of age may enter and remain in a licensed building under a bar and grill liquor license, and any outside adjacent service area approved by the Town, at any time; provided, however, that no person under twenty-one (21) years of age shall stand, sit or loiter within five (5) feet of any place or location from which alcoholic or malt beverages are prepared and dispensed for consumption (the bar) during the authorized operating hours set by the Town except employees of the bar and grill liquor

licensee who are eighteen (18) years of age or older and only for the purpose of serving alcoholic or malt beverages in the course of employment. Service does not include the preparation or dispensing of alcoholic or malt beverages.

(c) No person under twenty-one (21) years of age shall enter or remain in a licensed building under a retail liquor license, limited retail (club) liquor license, microbrewery permit, winery permit or resort liquor license, or any outside adjacent service area approved by the Town, during the authorized operating hours set by the Town, except and unless as may otherwise be specifically authorized by the Town to accommodate business activities within the licensed building not attendant to the sale of alcoholic or malt beverages (such as restaurant food service, lodging accommodations, retail sales or service businesses). Requests for such authorization shall be made to the governing body, and may be denied or granted upon terms and conditions in the sole discretion of the governing body.

(d) No person under twenty-one (21) years of age shall stand, sit or loiter within five (5) feet of any place or location from which alcoholic or malt beverages are prepared and dispensed for consumption under a catering permit, twenty-four (24) hour malt beverage permit or special malt beverage permit for public auditoriums, civic centers or events centers. This age restriction shall apply to all persons, including employees and volunteers of the permittee.

(e) It shall be unlawful for any liquor licensee or permittee, or an employee or agent of a liquor licensee or permittee, to knowingly permit any person to violate any provision of this section.

(f) Any person violating this section or aiding or abetting any violation thereof is guilty of a misdemeanor punishable by a fine of up to one hundred dollars (\$100.00). (Ord. No. 6-2011, § 2(3-202), 7-25-2011; Ord. No. 10-2017, § 1, 11-27-2017)

State law reference—Possession or sale of alcoholic beverages to underage persons prohibited, W.S. 12-6-101, 12-5-601.