

ORDINANCE NO. 1004

AN ORDINANCE TO AMEND CHAPTER 5.16 OF THE MUNICIPAL CODE OF THE CITY OF DOUGLAS CONCERNING THE REGULATION AND ISSUANCE OF ALCOHOLIC LIQUOR OR MALT BEVERAGES AS IT RELATES TO PROHIBITING THE DELIVERY OF ALCOHOLIC LIQUOR OR MALT BEVERAGES, AND THE AUTHORIZATION TO ESTABLISH OPEN CONTAINER DISTRICTS WITHIN THE CITY OF DOUGLAS

WHEREAS, the City of Douglas shall, pursuant to Wyoming Statute § 12-4-101 et seq., license and regulate the way liquor licenses and permits are issued; and

WHEREAS, there must be a balance struck between the rights of license holders, economic development, and the health, safety, and welfare of all residents and visitor to the City of Douglas; and

WHEREAS, the Governing Body finds that it is in the best interest of the City of Douglas and the citizens of this community to address the allowance of the delivery of alcohol by licensed liquor establishments; and

WHEREAS, the Governing Body finds that it is in the best interest of the City of Douglas and the citizens of this community to provide for a more confluent downtown experience by addressing open container laws.

NOW, THEREFORE, the City Council of the City of Douglas, Converse County, Wyoming, do ordain as follows:

DMC 5.16.020 is amended to include the following definition:

"Delivery Service means the taking of orders and providing the transportation and delivery of alcoholic liquor and malt beverage products to patrons at a residence, organization or business for a fee in violation of the provisions of this chapter."

"Certain Structures means any offices, or structure excluding those duly licensed to sell or dispense alcoholic liquor or malt beverages."

"Open Container means any glass, cup, bottle, can or other receptacle or vessel used for drinking, other than the beverage's original unopened package or container, the seal of which has not been broken and from which the original cap, cork or other means of closure has not been removed."

"Open Space means any street, alley, public way, sidewalk, public or private parking lot set aside for business use, and any other unenclosed public property. However, any golf course within the city limits shall not be considered open space."

DMC 5.16.030 is amended to include the following provision:

"Restrictions upon license or permit applicants and holders: A licensee shall not provide any alcoholic liquor or malt beverage delivery services in conjunction with the licensee's business operations."

DMC 5.16.060(A) is amended to include the following provision:

"As authorized by the City Council through the passage of a resolution authorizing the creation of special areas or districts, in which the possession of open containers is permitted between the Friday proceeding Memorial Day and Labor Day of each calendar year; however, the periods of time as well as the boundaries of special areas or districts may be established and/or modified by resolutions adopted by the City Council. Additional restrictions on beverage distribution, tracking, and event control may also be established by resolution of the City Council. Nothing in this chapter shall be interpreted as authorizing the possession of open containers of alcoholic liquor or malt beverages in or on motor vehicles."

Passed and Approved on First Reading this _8th_ day of _June_, 20_20_.

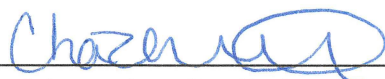
Passed and Approved on Second Reading this _22nd_ day of _June_, 20_20_.

Passed, Approved, and Adopted on third and final reading this _13th_ day of _July_, 20_20_.

APPROVED:


René Kemper, Mayor

Countersigned:


Chaz Schumacher, City Clerk

