

ORDINANCE NO. 4367

ENTITLED: "AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 5.12, ALCOHOLIC LIQUOR AND MALT BEVERAGES, OF TITLE 5, BUSINESS LICENSES AND REGULATIONS, OF THE CODE OF THE CITY OF CHEYENNE, WYOMING."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That various sections of Chapter 5.12, Alcoholic Liquor and Malt Beverages, of Title 5, Business Licenses and Regulations, of the Code of the City of Cheyenne, Wyoming, are hereby amended as set out in this ordinance.

5.12.020 Definitions.

"Restaurant Dispensing Area" means an area approved by the licensing authority pursuant to Wyo. Stat. Section 12-4-410.

5.12.030 License and permits-Types.

10. Restaurant Liquor License. The governing body may authorize issuance of a license to an applicant for sales and service of alcoholic liquor and malt beverages, as prepared and dispensed from ~~an areas~~ approved ~~licensed room within the building,~~ at a restaurant ~~as defined in Wyo. Stat. Section 12-1-101~~ by the licensing authority pursuant to Wyo. Stat. Sections 12-1-101(a)(xiv) and 12-4-410.

a. Qualifying food service restaurants shall have a suitable kitchen necessary for preparing, cooking, and serving individually priced meals which are prepared and served primarily for on-premise consumption and seating/dining areas that shall be inspected and approved by Cheyenne/Laramie County Health Department, Division of Environmental Health, and the licensing authority and are subject to requirements pursuant to Wyo. Stat. Sections 12-1-101(a)(xiv).

b. No consumption of alcoholic or malt beverages shall be permitted within the dispensing areas pursuant to Wyo. Stat Section 12-4-410(b).

c. No restaurant liquor licensee shall promote or operate the restaurant as a bar and/or lounge pursuant to Wyo. Stat. Section 12-4-410(d).

d. All sales of alcoholic or malt beverages authorized by a restaurant liquor license shall cease at the time food sales cease, or at the hours specified by Section 5.12.130(B) of this chapter if food sales extend beyond the hours specified therein.

e. Restaurant liquor licensees shall submit, at the time of renewal, an annual report to the licensing authority that the primary source of revenue from the operation of the restaurant to be licensed will be derived from food services and not from the sale of alcoholic or malt beverages pursuant to Wyo. Stat. Section 12-4-408.

f. Exceptions. Convenience stores whose primary function is for off-premise consumption of food sales are not eligible to obtain a Restaurant Liquor License.

5.12.140 Persons under the age of twenty-one (21) years-Restrictions-Provisions.

B. Establishments, authorized under an annual liquor license to sell alcoholic liquors and malt beverages, that meet the definition of a restaurant under Wyo. Stat. Section 12-1-101(a)(xiv) may permit a bona fide employee who is at least eighteen (18) years of age to ~~enter dispensing areas and~~ serve alcoholic liquor and malt beverages to patrons in designated dining areas which are open to the public pursuant to Wyo. Stat. Section 12-4-410(b).

Section 2. That sections currently existing in Chapter 5.12 not set out within this ordinance remain unchanged.

Section 3. That this ordinance shall be in full force and effect on July 1, 2021.

FIRST READING: May 10, 2021

SECOND READING: May 24, 2021

THIRD AND FINAL READING: June 14, 2021



Patrick Collins, Mayor

(SEAL)

ATTEST:



Kristina F. Jones, City Clerk

Published: Wyoming Tribune-Eagle

June 19, 2021