

ORDINANCE NO. 1279

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 5.12.025 OF THE TORRINGTON MUNICIPAL CODE, 2023 REVISIONS, RELATING TO MINORS IN LICENSED LIQUOR ESTABLISHMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TORRINGTON WYOMING:

Section 1: That Section 05.12.025 of the Revised Ordinances of the City of Torrington, Wyoming, 2023 Revisions, be and it is hereby amended to read as follows:

Sec. 5.12.025. Restrictions for persons under 21 years of age in Licensed Liquor Establishments:

1. Restaurant Liquor Licenses: Persons under 21 years of age are permitted in a restaurant dining or waiting area where alcohol is approved for service until 9:00 p.m.
 - a. In accordance with Wyoming Statute 12-4-410(b) only employees of the restaurant, who are 18 years of age or older, shall be granted access to the approved dispensing area of the restaurant, where the alcohol is dispensed and prepared for consumption.
 - b. No alcohol may be consumed in the approved dispensing area.
2. Retail Liquor Licenses, Microbrewery Permits, Limited Club Licenses, or Bar and Grill Licenses:
 - a. Persons under 21 years of age are not permitted to enter or remain in the licensed building of an establishment that holds a Retail Liquor license, Microbrewery Permit, Limited Club License, or Bar and Grill License except under the following conditions:
 - i. Retail licenses that engage in the sale of package liquor only, and also sell other goods that are commonly used by persons under the age of 21 in the same licensed building, may allow persons under 21 years of age in the licensed building under the following conditions:
 1. To limit access to package liquor by persons under the age of 21, the establishment must have a separate designated area for the sale of liquor that is not co-mingled with goods for sale to persons under the age of 21 and does not allow unsupervised access.
 2. The separate area designated for liquor sales must be in a location where it can be monitored by staff of the establishment.
 3. The City of Torrington reserves the right to review and approve the separation, access, and monitoring for package liquor sales under this section.
 - ii. When a licensed establishment hosts a family dining event in a section of the licensed sales or service area that meets the following criteria:
 1. The licensed establishment has a kitchen, or other approved means of providing meals, and offers a legitimate meal or menu that is substantially more significant than snacks or light meals that would commonly be offered for consumption with alcoholic beverages.
 2. An area of the establishment, or the entire establishment, must be sectioned off by physical barrier and posted signage to designate a specific space for family dining, with restroom access that can be readily observed by staff.
 - a. The family dining area may not include seating at a bar or other location in the establishment with prominent visual display and close access to alcoholic beverages for persons under the age of 21.
 3. Staff members from the licensed establishment must verify the identification of persons entering the family dining area to confirm that persons under 21 are supervised by an adult who is over the age of 21.
 4. Under no circumstances may a person under the age of 21 be allowed unsupervised access.

5. Persons who are under the age of 21 may consume food and non-alcoholic beverages while supervised in the family dining area.
 6. All persons under the age of 21 must exit the licensed sale or service area of the establishment by 9:00pm.
- iii. When a licensed establishment hosts a family entertainment event in a section of the licensed sales or service area that meets the following criteria:
 1. The licensed establishment offers a legitimate entertainment event that is appropriate and safe for persons under the age of 21 to attend.
 2. An area of the establishment, or the entire establishment, must be sectioned off by physical barrier and posted signage to designate a specific space for the entertainment event, with restroom access that can be readily observed by staff.
 - a. The entertainment event, or associated food and non-alcoholic drink service, for persons under the age of 21 may not include seating at a bar or other location in the establishment with prominent visual display and close access to alcoholic beverages.
 3. Staff members from the licensed establishment must verify the identification of persons entering the entertainment event to confirm that persons under 21 are supervised by an adult who is over the age of 21.
 4. Under no circumstances may a person under the age of 21 be allowed unsupervised access.
 5. Persons who are under the age of 21 may consume food and non-alcoholic beverages while supervised in the entertainment event.
 6. All persons under the age of 21 must exit the licensed sale or service area of the establishment by 9:00pm.
 - b. Licensed establishments that wish to host family dining events, or entertainment events in accordance with sections 2(a)(i) and 2(a)(ii) of this ordinance, must submit a written plan to the office of the City Clerk at the City of Torrington demonstrating compliance with the applicable standards along with a processing fee of \$25.00.
 - i. The written plan, with the \$25.00 payment must be submitted a minimum of five business days prior to the scheduled family dining or entertainment event.
 - ii. The written plan will be reviewed by the City of Torrington City Clerk or her/his designee and the City of Torrington Chief of Police for compliance and approved if all of the applicable standards are met.
 - iii. Written plans submitted by an establishment holding a Bar and Grill license must be compliant with the requirements of Torrington Municipal Ordinance 05.12.065, and as listed below:
 1. In accordance with the requirements of the Bar and Grill license, the written plan for an establishment holding a Bar and Grill license shall address the primary purpose of the event that the establishment wishes to host in the form of a Family Dining or Family Entertainment event.
 2. When the plan is approved, the establishment will be permitted to incorporate a secondary purpose of family entertainment or family dining in the operation of the establishment, so long as it meets the requirements of Wyoming State Statute and Torrington Municipal Ordinance.
 - iv. Once approved, the licensed establishment may host family dining or entertainment events consistent with the approved written plan.
 1. Family dining events or entertainment events that deviate from an approved written plan require submission and approval of an additional written plan for the new family dining or entertainment event.
 - c. Licensed establishments that host family dining or entertainment events after receiving an approval for their written plan, must comply completely with the approved written plan.

- i. If the establishment is found to not be in compliance with the approved plan, they may be subject to the following:
 1. Immediate termination of the family dining or entertainment event by the City of Torrington Chief of Police, or his/her designee.
 2. Subsequent punitive action by the City of Torrington against the associated Retail Liquor license, Microbrewery Permit, or Limited Club License that may include fines, suspension, and revocation of the associated license.
 3. Criminal charges for associated staff members at the licensed establishment if probable cause is established that they violated municipal ordinance or state statute related to the failure to follow the approved written plan.

Section 2: This ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

Passed and approved on first reading this 6th day of June, 2023.

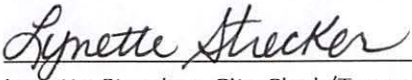
Passed and approved on second reading this 20th day of June, 2023.

Passed and approved on third reading the 5th day of July, 2023.



Herb Doby, Mayor

ATTEST:



Lynette Strecker, City Clerk/Treasurer