

ORDINANCE NO. 1010

AN ORDINANCE AMENDING CHAPTER 5.16 OF DOUGLAS MUNICIPAL CODE PERTAINING  
TO ALCOHOL SERVER CERTIFICATION - REQUIREMENTS

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

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

**WHEREAS**, based upon the recommendations of City Council and staff, the following are recommended changes to Chapter 5.16 of the Douglas Municipal Code.

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

**Section 1.**      Section 5.16.050 of the Douglas Municipal Code is hereby amended to read as follows:

**5.16.050      Alcohol Server Certification – Required.**

All licensees, managers and supervisory personnel, and staff who serve alcoholic beverages, employed at any licensed building and/or premises shall participate in and complete a Wyoming Liquor Division approved alcohol server training program as established in W.S. 12-2-401 and 12-2-402 as amended. Such training shall be provided within two (2) months of obtaining any new or transfer liquor license, or upon application for renewal of an annual liquor license; or within two (2) months of accepting employment as a manager, supervisor, or staff member who serves alcoholic beverages. Required trainings through state certified programs shall be kept current for as long as such persons are employed by the licensed building and/or premises.

**Section 2.**      Section 5.16.120 of the Douglas Municipal Code is hereby amended to read as follows:

**5.16.120      Application for Licenses and Permits - Renewal.**

B.      Upon application for a renewal liquor license, a licensee shall submit to the city clerk proof of valid alcohol training certifications pursuant to Section 5.16.050 of this chapter.

**Section 3.**      Section 5.16.210 of the Douglas Municipal Code is hereby amended to read as follows:

**5.16.210(F)      Notification of Licensee of Liquor Violation.**

2.    Notice of Hearing before Governing Body. Upon receipt by the city clerk of a notice from the State of Wyoming issued pursuant to W.S. 12-2-306, as amended, and/or such information from the municipal court, the city clerk shall notify the liquor licensee of violation(s) and a hearing shall be set before the governing body. The certified notice from the state and all evidence presented to the state in support of the certified notice and order of conviction from municipal court will be admitted and considered prima facie evidence of the liquor licensee’s sales tax delinquency or conviction of municipal ordinance on liquor. The purpose of the hearing is to allow the liquor licensee to offer corrections to the information; and action take by liquor licensee to mitigate the violation and for the governing body to determine whether liquor licensee should face restrictions or suspension of the liquor license. Notice of such violation shall be served by certified mail to the address of the licensee listed on the licensee’s most recent liquor license application to the city, and shall include a statement:

- a. That the city received a notice for failure to pay sales tax or a criminal violation described in Paragraph D herein has occurred, and that a fine, suspension and/or revocation of the licensee's license is possible; and
- b. Summarizing the nature and date(s) of the incidents resulting in the conviction and notice for failure to pay sales tax.

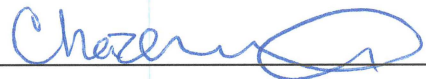
PASSED AND APPROVED ON FIRST READING this 27th day of September, 2021.

PASSED AND APPROVED ON SECOND READING this 11th day of October, 2021.

PASSED, APPROVED AND ADOPTED ON THIRD AND FINAL READING this 25th day of October, 2021.

  
René Kemper, Mayor

Attest:

  
Chaz Schumacher, City Clerk

Published: November 3, 2021

ATTESTATION

I, Chaz Schumacher, the Clerk of the City of Douglas, Wyoming, do hereby attest and state that the above ordinance was published/posted in the manner required by law and that all procedures required by Wyoming State law were complied with.

  
Chaz Schumacher, City Clerk