

ORDINANCE NUMBER 651

AN ORDINANCE OF THE TOWN OF BASIN, BIG HORN COUNTY, STATE OF WYOMING, ESTABLISHING RULES AND REGULATIONS PERTAINING TO THE SALE OF ALCOHOLIC AND MALT BEVERAGES WITHIN THE TOWN LIMITS BY REPEALING, AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE BASIN TOWN CODE. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

WHEREAS, commencing July 1, 2017, the State of Wyoming will no longer be regulating the sale of alcoholic and malt beverages in certain situations;

WHEREAS, it is incumbent upon the Town of Basin to establish rules and regulations pertaining to the sale of alcoholic and malt beverages when not addressed by the State of Wyoming; and

WHEREAS, the following rules and regulations shall be adopted to immediately address the particularly important situations with the understanding that they may be amended from time to time to correspond with the best interests of the Town of Basin, liquor license holders and the citizens.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASIN, BIG HORN COUNTY, WYOMING:

SECTION 1: Section 2-2-3-3 of the Basin Town Code shall be amended to read as follows, to-wit (Amendments in **BOLD**):

2-2-3-3: **GROUNDS FOR DENIAL OF LICENSE
(APPLICATION, NOTICE, PUBLIC HEARING) :**

Upon the receipt by the Town Clerk of an application for a license, permit, renewal or transfer pursuant to Wyoming Statutes Section 12-2-104, the governing body shall schedule a public hearing to hear protests, if any, and to make a determination with respect to the application. A license shall not be issued, renewed or transferred if the governing body finds from evidence presented at the public hearing, that any of the following conditions exist:

A. Violations of law, including the Wyoming Statutes and town codes pertaining to alcoholic and malt beverages or, conduct and behavior which reflects

on the ability of the proposed license or permit holder to operate pursuant to town requirements;

- B. The premises, while licensed in the name of the holder, is the scene of repeated or continuing violations of any ordinance or law, and that the initial violation occurred while the premises was licensed in the name of the holder and the holder had knowledge of the first violation or delayed correcting a continued violation;
- C. The license subject to renewal or transfer has not been used as required;

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- D. The licensee is delinquent in paying any taxes;
- E. The licensee or proposed licensee is not in good Standing with the Office of the Secretary of State;
- F. The welfare of the people residing in the vicinity of the proposed license or permit premises shall be adversely and seriously affected;
- G. The purposes and intentions of this Chapter shall not be carried out by the issuance, renewal or transfer of the license or permit;
- H. The number, type and location of existing licenses or permits meet the needs of the town;
- I. The desires of the residents of the town will not be met or satisfied by the issuance, renewal or transfer of the license or permit; or
- J. Any other reasonable restrictions or standards which may be imposed by the town shall not be carried out by the issuance, renewal or transfer of the license or permit.
- K. Preference Rights: The holder of an expired annual license, or one due for expiration, has a preference right to a renewal of that license for the same location. After the required notice and a public hearing, each applicant claiming a renewal preference shall be promptly considered and acted

~~upon by the town. No other preference rights are authorized or recognized by the town. The preference right granted herein shall expire thirty (30) days after the expiration date shown on the most recently issued license or permit.~~

SECTION 2: Special Malt Beverage Permit (2-2-4-3)
No change necessary.

SECTION 3: Hours of operation - Code has following
Restrictions (2-2-5-1)
No change necessary unless desire different

Monday through Saturday - 6:00 a.m. to 2:00 a.m.
Sunday 10:00 a.m. to 2:00 a.m.
Can Modify 4 days each year

SECTION 4: Dispensing Room Restrictions.
Town Code 2-2-6-6.
No change necessary

SECTION 5: If any portion of this ordinance is held or found to be invalid, the remainder of the ordinance shall continue to be in full force and effect.

SECTION 6: All ordinances or parts of ordinances of the Town of Basin in conflict herewith are hereby repealed.

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SECTION 7: This ordinance shall take effect and be in full force and effect on _____, 2017, after having been published in the Basin Republican Rustler.

PASSED ON FIRST READING **JUNE 8, 2017.**

PASSED ON SECOND READING _____, 2017.

PASSED, APPROVED AND ADOPTED ON THE THIRD AND FINAL READING _____, 2017.

TOWN OF BASIN, WYOMING
A Municipal Corporation

By:

DENNIS PETERS - Mayor

ATTEST:

CHARLENE ANDERSON - Town Clerk