



Agenda Item: Licensing

Title: New Restaurant Liquor License No. R66 Night Heron Enterprises, LLC dba Night Heron Book and Coffeehouse located at 107 E Ivinson Ave, Laramie, WY.

Recommended Council MOTION:

That City Council approve the application for a Restaurant Liquor License No. R66 to Night Heron Enterprises, LLC dba Night Heron Book and Coffeehouse located at 107 E Ivinson Ave, Laramie, WY, for the licensing term July 2, 2021 thru May 07, 2022, and authorize the Mayor and City Clerk to sign.

Background:

Application for a Restaurant Liquor License to Night Heron Books, LLC dba Night Heron Book and Coffee House was filed in the City Clerk's Office on May 24, 2021. The premise location for the license is 107 E Ivinson Ave, Laramie, WY. The dispensing area location is a 4'x6' room at the top of the stairs to the basement, along the East wall of the building.

Restaurant Liquor Licenses are defined in Wyoming State Statues in Title 12 and Laramie Municipal Code 5.09. The following conditions apply to Restaurant Liquor Licenses:

- Must have a valid food service permit upon application.
- Restaurant licensees shall not sell alcoholic or malt beverages for off-premises consumption from the licensed building owned or leased by the licensee except as allowed under W.S. 12-4-410(e).
- W.S. 12-4-408(a) An applicant for a restaurant liquor license shall satisfy the appropriate 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.
- W.S. 12-4-408(b) When renewing a restaurant liquor license, the appropriate licensing authority shall condition renewal upon a requirement that not less than sixty percent (60%) of gross sales from the preceding twelve (12) months operation of a licensed restaurant be derived from food services.
- W.S. 12-4-408(c) Upon application for license renewal, a license holder shall submit an annual report to the licensing authority on the sales of the licensed restaurant. The report shall contain the annual gross sales figures of the restaurant and shall separate the gross sales figures into two (2) categories:
 - (i) Food service sales; and
 - (ii) Alcoholic and malt beverage sales.
- W.S. 12-4-410(c) All sales of alcoholic and malt beverages authorized by a restaurant liquor license shall cease at the time food sales and service cease or at the hours set pursuant to W.S. 12-5-101 if food sales and service extend beyond those hours.
- Sales and service of alcoholic or malt beverages can-not occur from a bar with this type of liquor license.
- With changes to liquor codes from House Bill 0013, other restaurants may qualify for a restaurant license without needing a full service restaurant.

The application documentation presented appears to be complete. All required attachments have been received by the City. Advertisement requirement has occurred. Wyoming Liquor Division has certified the application as complete. [W.S. 12-4-104(d)].

Legal/Statutory Authority:

Requirement of W.S. 12-4-101 (a) and Laramie Municipal Code that “Incorporated cities, towns and counties within Wyoming shall license and regulate or prohibit the retail sale of alcoholic and malt beverages under this title..... or from refusing to issue any license or permit authorized by this title.”

BUDGET/FISCAL INFORMATION:

REVENUE: \$ 0 Annual Renewal Fee
 \$ 1486.30 Pro-rated License Fee
 \$ 50.00 Processing Fee

Responsible Staff:

Nancy Bartholomew, City Clerk

Public Hearing (PH) Held	6/15/2021
PH Advertised	5/28/2021
	6/4/2021