



Agenda Item: Original Ordinance, Second Reading

Title: Original Ordinance No. 2050, Amending Laramie Municipal Code Section 5.09 Alcoholic Beverages to Include Retail Liquor Licenses for Commercial Service Airports and Correct Language

Second Reading. (Introduced by Harrington)

Recommended Council MOTION:

That Council move to approve Original Ordinance No. 2050 on second reading, amending Laramie Municipal Code Section 5.09 Alcoholic Beverages to include retail liquor licenses for commercial Service Airports and correct language.

Administrative or Policy Goal:

To maintain our municipal code and keep it current with legislative changes that effect our code.

Background:

The Legislature passed House Bill No. 0013 in 2021 and became effective on July 1, 2021. We when amended Laramie Municipal Code last year we two references to dispensing rooms were not updated to read dispensing area. We are requesting that update with the additional changes from this year’s legislative changes.

This year the Legislature passed House Bill No. 0055 which authorizes municipalities to issue retail liquor licenses to commercial service airports in incorporated cities and towns. These licenses will be exempt from the number restrictions in W.S. 12-4-201 related to retail liquor licenses given to each municipality in accordance with the population formula.

On first reading and introduction the City Council asked many questions that we would like to answer (questions were referred to the Wyoming Liquor Division for additional information):

- 1. Who can apply for a retail liquor license for commercial service airports? Does it need to be the entity that owns the airport?**
 - a. **Answer:** Any qualified applicant, meaning any type of qualified person or legal entity type, can apply for the license including the entity that owns the airport board, if that is applicable.
- 2. How many retail liquor licenses for commercial service airport can be issued? W.S. 12-4-204(d)(iv) Retail liquor licenses issued to commercial service airports in incorporated cities or town shall be exempt from the number restrictions in paragraphs (i) through (iii) of this subsection.**
 - a. **Answer:** There is not a limit for how many of these types of retail licenses can be issued. It is only limited by the quantity of commercial service airports are qualified in any given jurisdiction.
- 3. Can the licensed location be anywhere on the airport property or does it need to be in the terminal in which the commercial service is located?**
 - a. **Answer:** There is not an explicit requirement in statute for the licensed building to be in the actual airport terminal, but this would most likely be the case for most commercial service airports. If the licensed building is not in the terminal, it should however be a building on

- the same property intended to primarily service the airport customers. This topic may need to be considered on a case by case basis if a licensed building location is questionable.
4. **How does security work with alcohol? Can the alcohol be brought on to the planes? (retail liquor licenses have the ability to sell for off premise consumption)**
 - a. **Answer:** This is not a Wyoming state liquor law that prohibits passengers from taking alcohol onto an aircraft. This would be determined by the regulations and policies that each airline operates under and perhaps the airport policies might cover this topic also.
 5. **Can the license be subcontracted? W.S. 12-4-201(m) A commercial service airport holding a retail liquor license may contract for or otherwise subcontract any food and beverage services provided at the airport to another individual or entity without transferring the retail liquor license held by the airport under this section.**
 - a. **Answer:** Yes, to a single contractor at a time and a copy of the contract needs to be on file with the licensing authority and the WLD.
 6. **Is there any additional information you can share with us about these licenses? The statutes did not provide much additional information.**
 - a. **Answer:** Not at this time, other than what is provided in the attached information sheet. This is new territory for all of us and I am sure other questions will come up as these licenses are applied for and or issued. We will need to tackle those as they come up.

Legal/Statutory Authority:

Responsible Staff:

Nancy Bartholomew, City Clerk

Attachments:

Original Ordinance No. 2050

HB0013 and HB0055 (Enrolled Act No. 38)

Commercial Airport Retail License Information Wyoming Liquor Division July 2022