

Commercial Airport Retail License Information Wyoming Liquor Division July 2022

Commercial Service Airport Retail License Major Key Facts

- This information is not all-inclusive and shall not be construed as legal advice.
- The commercial service airport retail (airport retail) license is a retail liquor license type issued by the local licensing authorities (the governing bodies) of Towns, Cities and Counties in Wyoming
- Application for an airport retail license is made on the current state approved New Liquor License or Permit Application form
- The licensed building location must be a commercial service airport
- The license allows for alcohol sales for both on-premise and off-premise consumption
- The license is issued on an annual basis with a licensing term length of one year (12 months), and may be shorter than one year for the initial licensing term
- The annual permit fee range is from \$300.00 to \$1500.00 and may be prorated accordingly for an initial licensing term shorter than one year
- The license is exempt from retail license population formulas in State Law
- An unlimited quantity of this license type can be issued by each jurisdiction
- The license can be issued within 3 miles of an incorporated city or town regardless if 3 or more retail licenses have been issued within 3 miles of an incorporated city or town
- The license holder may contract or subcontract the food and beverage services, including alcohol sales and service
- The license holder may also obtain 24 Hour Catering Permits
- The license must be operated within compliance with all applicable state and local laws

Primary Wyoming Title 12, Alcoholic Beverage Control Laws

12-4-201. Retail liquor licenses and malt beverage permits; population formulas; fees.

(a) A retail liquor license is the authority under which a licensee is permitted to sell alcoholic liquor or malt beverages for use or consumption but not for resale, except as otherwise provided for by this section.

(b) A malt beverage permit is the authority under which the licensee is permitted to sell malt beverages only.

(c) Repealed by Laws 1979, ch. 156, § 4.

(d) The number of retail liquor licenses issued shall be based on the following population formula:

(i) Not more than two (2) licenses in incorporated towns of five hundred (500) population or less;

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(ii) Not more than one (1) additional license for each additional five hundred (500) population or major fraction thereof in incorporated cities or towns up to a population of nine thousand five hundred (9,500);

(iii) Not more than one (1) additional license for each additional full three thousand (3,000) population over nine thousand five hundred (9,500); and

(iv) Retail liquor licenses issued to commercial service airports in incorporated cities or towns shall be exempt from the number restrictions in paragraphs (i) through (iii) of this subsection.

(e) The license fee to be assessed for a retail liquor license shall be not less than three hundred dollars (\$300.00) nor more than one thousand five hundred dollars (\$1,500.00) payable annually in advance.

(f) Retail liquor licenses and malt beverage permits may be granted by the county commissioners as the appropriate licensing authority in a county outside of incorporated cities and towns as follows:

(i) One (1) retail liquor license issued for each five hundred (500) population residing outside cities and towns; but

(ii) No more than three (3) retail liquor licenses issued for locations within five (5) miles of the corporate limits of a city or town. Retail liquor licenses issued to commercial service airports in a county shall be exempt from this paragraph; and

(iii) Malt beverage permits may be issued for county locations without regard to population.

(g) Repealed by Laws 2021, ch. 22, § 3.

(h) The license fee assessed by a county for malt beverage permits shall be not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500.00).

(j) Licensees authorized to sell alcoholic liquors at retail may purchase for resale not more than nine (9) liters of alcoholic liquors per week from a retail licensee authorized pursuant to this section. Purchases of alcoholic liquors authorized pursuant to this subsection shall be conducted in accordance with the following:

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(i) The seller shall record on a form furnished by the division all of the following:

(A) The name and signature of the licensee making the purchase;

(B) The date and time of the purchase;

(C) The purchaser's Wyoming state tax resale number.

(ii) The form collected pursuant to paragraph (i) of this subsection shall be provided to the Wyoming state liquor division within thirty (30) days of the sale and shall be maintained by the seller of the alcoholic liquor for not less than one (1) year after the date of the sale. The form shall be available upon request for the division to inspect.

(k) A retail liquor licensee may ship not more than a total of one hundred eight (108) liters of manufactured wine directly to any one (1) household in this state in any twelve (12) month period provided the licensee:

(i) Ships the manufactured wine only to individuals who are at least twenty-one (21) years of age for such individual's personal use and not for resale;

(ii) Ensures that all shipping containers of manufactured wine shipped pursuant to this subsection are conspicuously labeled with the words: "CONTAINS ALCOHOLIC BEVERAGES. ADULT (OVER 21) SIGNATURE REQUIRED FOR DELIVERY"; and

(iii) Ensures that all of its shipments within this state are made by a duly licensed carrier and further ensure that the carriers comply with the requirement to obtain an adult signature.

(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.

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Additional Requirements

Airport retail license applicants, license holders and any subcontractor are also subject to additional requirements including those listed below.

Business Registration in Wyoming

The business entity may need to be registered with the Wyoming Secretary of State's office.

Please confirm requirements with that office.

Main office: (307) 777-7311

Website: <https://soswy.state.wy.us/ContactUs.aspx>

Food Service Permit

Sellers of alcoholic beverages in Wyoming will need to be licensed with an applicable Food Service Permit.

Please contact the Wyoming Department of Agriculture, Consumer Health Division for details.

Main office: (307) 777-6587

Website: <https://wyagric.state.wy.us/divisions/chs/contacts>

Sales Tax Licensing

A Wyoming Sales Tax License may be required for the business.

Please contact the Wyoming Department of Revenue, Excise Tax Division for details.

Main office: (307) 777-5200

Website: <http://revenue.wyo.gov/home/contact-information>

Local Requirements

There may be additional local requirements, at the local jurisdictional government level where the license is located. Please contact the Clerk's office for the issuing jurisdiction for more details.

Licensing and Liquor Regulations

For more information regarding licensing requirements, liquor laws and regulations, contact the Wyoming Liquor Division, Compliance section.

Compliance Agent: (307) 777-7233