



Agenda Item: Licensing

Title: Acknowledging receipt of new floor plan for Retail Liquor License No. 21, Gateway Fuels Inc dba Gateway Liquors.

Recommended Council MOTION:

That City Council acknowledge the receipt and approval of a new floor plan for Retail Liquor License No. 21, Gateway Fuels Inc dba Gateway Liquors to include a drive through window upon completion and inspection.

Background:

An updated floor plan was presented to the City Clerk's office on May 13, 2020 Retail Liquor License No. 21 from Gateway Fuels Inc dba Gateway Liquors. The premise location for the license is 2471 Jackson, Laramie, Wyoming.

The retail liquor license allows the licensee to have a drive-in window if Laramie Municipal Code requirements are met. Planning division has reviewed the site plan as well as code administration was made aware of the request and are awaiting for a building permit, completion and inspection. An updated floor plan has been submitted to the Wyoming Liquor Division as well.

LMC 5.09.500 - Drive-in—Conditions. (W.S. Section 12-5-301)

A. Upon approval of the city council, a drive-in area adjacent or contiguous to the licensed building may be used by the holder of a retail liquor license for taking orders, making delivery of and receiving payment for alcoholic liquor or malt beverages under the following conditions:

1. The holder of the retail liquor license shall own the area or hold a written lease for the period for which the license was issued;
2. The area shall be well lighted and subject to inspection by the licensing authority at any and all times;
3. No walls or screens shall interfere with observing and checking the part of the area used for orders, delivery and payment;
4. No order shall be received from, nor delivery made, to a person under the age of twenty-one years or intoxicated person in the area;
5. No part of a publicly owned sidewalk, highway, street or alley shall be used for taking orders or conducting sales; and
6. Alcoholic liquor or malt beverages shall be sold and delivered in the drive-in area only in the original, unopened package and consumption of alcoholic liquor or malt beverages in the drive-in area shall not be permitted.

B. Any violation of the drive-in conditions contrary to the city code and as required under this section is declared to be in violation of law and this may result in the assignment of points to the offending licensee pursuant to [Section 5.09.800\(H\)](#) of this chapter.

(Ord. 1511 § 50, 2007; Ord. No. [1732](#), § 2(Att. A), 6-6-2017; Ord. No. [1763](#), § 1, 6-4-2019)

5.09.505 - Drive-ins—Determination of Restrictions. (W.S. Section 12-5-301)

The city manager or designee shall determine whether traffic conditions or physical circumstances hindering law enforcement should require a decision forbidding or restricting sales and delivery in any drive-in area. If by resolution of the city council the right of a licensee to use certain drive-in areas is forbidden or restricted, that resolution shall be complied with by the licensee.

Legal/Statutory Authority:

LMC 5.09.130.A. Business entity licensees and permittees shall advise city council within thirty days in writing of any change in the information in any application required under this chapter. The city clerk shall provide the council a copy of the notification of change.

BUDGET/FISCAL INFORMATION:

Responsible Staff:

Nancy Bartholomew, City Clerk