



**Agenda Item:** Licensing

**Title: Special Malt Beverage Permit No. Special-5, Cowboy State Brewing, LLC Located at UW Stadium Suspension and Transfer Funds due to COVID19.**

**Recommended Council MOTION:**

That City Council approve the request by Cowboy State Brewing, LLC -Special Malt Beverage Permit No. Special-5 located at UW Stadium to have this year’s liquor license suspended as of September 15, 2020 and transfer the \$4,000 liquor license fee to next year’s Special Malt Beverage Permit fees upon receipt of application for the May 8, 2021- May 7, 2022 license year, due to the cancellation of the football season in response to COVID19.

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**Background:**

On August 28, 2020, a request was received in the City Clerk’s Office from Cowboy State Brewing, LLC- Special Malt Beverage Permit No. Special-5 to suspend this year’s liquor license and request a credit/transfer of \$4,000 license fee to next year’s Special Malt Beverage Permit, due to the cancellation of the football season in response to COVID19. Wyoming State Statutes do not permit refunds for issued licenses and permits. The Fall 2020 Football Season has been cancelled by the University of Wyoming in response to COVID19 which renders this permit unusable for the use it was intended for. We confirmed with the University of Wyoming and Roxie Hensley that the permit has not been used in any way since issuance on May 8, 2020.

On August 12, 2020, notification was sent to Roxie Hensley and the University of Wyoming with considerations for requesting the suspension of this permit. If the Football Season can occur in the Spring (February/March) as projected an alcohol catering permit will be required for each game/serving location/hocking section (\$50/permit) like previous years since an active license will no longer be in effect for the UW Stadium.

We have contacted the Wyoming Liquor Division to verify that we are in compliance with Wyoming State Statutes and confirmed by the Wyoming Attorney General’s office.

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**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.”

W.S. 12-4-105. Disposition of license fees; refunds prohibited. All fees for licenses and permits issued by a licensing authority paid under this title shall be deposited into the treasury of the licensing authority. No refund of all or any part of a license fee shall be made at any time following issuance.

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**BUDGET/FISCAL INFORMATION:**

**REVENUE: \$ 4000.00** Annual Renewal Fee (*Credit will transfer to next year’s liquor license for Cowboy State Brewing, LLC*)

**Responsible Staff:**

Nancy Bartholomew, City Clerk