



**Agenda Item:** Licensing

**Title: Special Malt Beverage Permit No. Special-4, Roxie’s Catering, LLC Located at UW Arena Auditorium Request for Transfer or Refund and Suspension of Liquor License.**

**Recommended Council MOTION:**

That City Council deny the request by Roxie’s Catering, LLC -Special Malt Beverage Permit No. Special-4 located at UW Arena Auditorium to have this year’s liquor license suspended as of January 5, 2020 and transfer or refund the \$2,000 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, based on no provision in Wyoming State Statute to constitute the allowance for transfer or refund of an issued and used liquor license.

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**Background:**

On December 17, 2020, a request was received in the City Clerk’s Office from Roxie’s Catering, LLC- Special Malt Beverage Permit No. Special-4 to suspend this year’s liquor license and request a refund/transfer of \$2,000 license fee to next year’s Special Malt Beverage Permit, due to the cancellation of spectators for the remainder of the basketball season in response to COVID19. Wyoming State Statutes do not permit refunds for issued licenses and permits. There is also no provision in Wyoming State Statutes for the transfer of a partially used liquor license. For this reason, staff, the Wyoming Liquor Division, and the Attorney General’s office do not recommend the issuance of a refund or transfer for this license. This request differs from the request received from Cowboy State Brewing, LLC for the Fall 2020 Football Season, where the request came before the license had been used during the license year.

Suspension of a liquor license prohibits any future sales/service of alcohol within the licensed premises without issuance of a liquor license or alcohol related permit for that location.

We have contacted the Wyoming Liquor Division to verify that we are in compliance with Wyoming State Statutes. The Wyoming Liquor Commission confirmed we are in compliance through 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: \$ 2000.00** Annual Renewal Fee *(Credit will transfer to next year’s liquor license, if issued by the Council, for Roxie’s Catering, LLC)*

**Responsible Staff:**

Nancy Bartholomew, City Clerk