

**Agenda Item:** Licensing**Title: New Bar & Grill Liquor License BG-10 to Maria's Mexican Grill and Cantina, LLC dba Maria's Mexican Grill and Cantina located at 223 Adams Street.****Recommended Council MOTION:**

That City Council approve the application for a new Bar and Grill Liquor License No. BG-10, to Maria's Mexican Grill and Cantina, LLC dba Maria's Mexican Grill and Cantina located at 223 Adams Street, Laramie, Wyoming for the licensing term February 3, 2021 thru May 07, 2021 with issuance contingent upon receiving a full certificate of occupancy and food license, and authorize the Mayor and City Clerk to sign.

Background:

Application for a New Bar and Grill Liquor License of Maria's Mexican Grill and Cantina, LLC, was filed in the City Clerk's Office on January 12, 2021. The premise location for the license is 223 Adams Street, Laramie, Wyoming. The dispensing room is the entire building.

Bar and Grill Liquor Licenses are defined in Wyoming State Statues 12-4-413 and Laramie Municipal Code 5.09.340. The following conditions apply to Bar and Grill Liquor Licenses:

- Must have a valid food service permit upon application.
- W.S. 12-4-413(f) Bar and grill liquor licenses shall be subject to the provisions of W.S. 12-4-408 and 12-4-410(c) to the same extent those provisions are applicable to restaurant liquor licenses. Bar and grill liquor licensees shall not sell alcoholic or malt beverages for off-premises consumption from the licensed building owned or leased by the licensee except as allowed under W.S. 12-4-410(e).
- W.S. 12-4-408(a) An applicant for a restaurant liquor license shall satisfy the appropriate licensing authority that the primary source of revenue from the operation of the restaurant to be licensed will be derived from food services and not from the sale of alcoholic or malt beverages.
- W.S. 12-4-408(b) When renewing a restaurant liquor license, the appropriate licensing authority shall condition renewal upon a requirement that not less than sixty percent (60%) of gross sales from the preceding twelve (12) months operation of a licensed restaurant be derived from food services.
- W.S. 12-4-408(c) Upon application for license renewal, a license holder shall submit an annual report to the licensing authority on the sales of the licensed restaurant. The report shall contain the annual gross sales figures of the restaurant and shall separate the gross sales figures into two (2) categories:
 - (i) Food service sales; and
 - (ii) Alcoholic and malt beverage sales.
- W.S. 12-4-410(c) All sales of alcoholic and malt beverages authorized by a restaurant liquor license shall cease at the time food sales and service cease or at the hours set pursuant to W.S. 12-5-101 if food sales and service extend beyond those hours.
- Sales and service of alcoholic or malt beverages can occur from a bar with this type of liquor license.

The application documentation presented appears to be complete. All required attachments have been received by the City. Advertisement requirement has occurred. Wyoming Liquor Division has certified the application as complete. [W.S. 12-4-104(d)].

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.”

BUDGET/FISCAL INFORMATION:

REVENUE: **\$ 0.00** Annual Renewal Fee
 \$ 1287.67 Pro-rated License Fee
 \$ 50.00 Processing Fee

Responsible Staff:

Nancy Bartholomew, City Clerk

Public Hearing (PH) Held	2/2/2021
PH Advertised	1/16/2021
	1/23/2021