

ORIGINAL ORDINANCE NO: 2026
ENROLLED ORDINANCE NO: 1791

INTRODUCED BY: O'DOHERTY

AN ORDINANCE AMENDING LMC 5.09.615 PROHIBITED ON LICENSED PREMISES UNDERAGE EXCEPTIONS

WHEREAS, clarity and consistency in Laramie Municipal Code is desired;
WHEREAS, it is important to remain current with Wyoming State Statutes;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1: Amend Chapter 5.09.615 - ALCOHOLIC BEVERAGES as follows:

Chapter 5.09 - ALCOHOLIC BEVERAGES

5.09.610 - Persons under twenty-one years of age - Prohibited on licensed premises—Exceptions for Retail Liquor Licenses.

A. No holder of a retail liquor license (or the licensee's employee or agent) shall permit any person under 21 years of age (hereinafter "minor" or "minors") to enter or remain in the place in which the licensee sells alcoholic liquor or malt beverages, or in any licensed area unless:

1. The minor is accompanied by the minor's parent or legal guardian who is over 21 years of age, and is only in a licensed room for the sale of alcoholic or malt beverages for off-premises consumption, which room is separated from any licensed room for on-premises consumption; or
2. The licensee qualifies for one or more exceptions in 5.09.615; or
3. The licensee is holding a specific event in the licensed premises and allows minors to attend, and the event meets and is subject to all the following conditions:
 - a. During the event, the room where the event is held shall be closed and no alcoholic liquor or malt beverage shall be served to or possessed by any person in that room. "Closed" means that all alcoholic liquor and malt beverages are removed from the room where the event is held and are stored where they are not accessible during the event or are otherwise secured under lock and key so that they cannot be dispensed. The room where the event is held shall be separated from any dispensing area which is not closed by a wall which extends from floor to ceiling. If that wall has a doorway in it, the doorway shall not be used for passage between the closed room and the other dispensing area during the event.
 - b. The licensee shall notify the city manager in writing at least forty-eight hours before each event, describing the manner of securing alcoholic liquor and malt beverages during the event, the precautions which will be taken to prevent alcohol from being present in the room where the event is held, and the hours of the event. The city manager may in his discretion require additional precautions of the licensee, which the licensee shall take, to prevent alcohol from being accessible or present in the room where the event is held.

c. For the duration of each event, the licensee shall post conspicuous signs at each entrance to the room where the event is held stating "No Alcohol Allowed." The signs shall be a minimum of eighteen inches by twenty-four inches with lettering not less than four inches high.

d. The licensee shall not permit any person to possess any alcoholic liquor or malt beverage while in the room where the event is held.

e. A package liquor store on the licensed premises may continue to sell unopened containers of alcoholic liquor and malt beverages during the event for off-premises consumption, provided that the provisions of subsections (A)(3)(a) and (A)(3)(b) of this section are followed.

f. By holding such an event, the licensee consents for himself and all of his employees that any law enforcement officer having the authority to make arrests within the city for alcohol-related offenses may enter the premises during the event at any time and from time to time and perform his duties.

g. The city manager or designee may require any licensee to close down any youth event held under this section upon reasonable belief that a violation of state or local liquor laws, health laws, or the Uniform Fire Code has occurred during the event.

4. The following are violations of this subsection:

a. For any person to enter, remain or be in the room where the event is held during the event while in possession of any alcoholic liquor or malt beverage, or to be in the room where the event is held while otherwise in violation of Section 5.09.605 of this chapter.

b. For any licensee, his employee or agent to permit any person to enter, remain or be in the room where the event is held during the event while in possession of any alcoholic liquor or malt beverage. Upon proof that any person was within the room where the event was held during the stated hours of the event while in possession of any alcoholic liquor or malt beverage, the licensee shall be conclusively presumed to have violated this subsection.

c. For any person to fail to comply with any of the provisions of subsection (A)(3)(c) of this section.

d. For any person to hold an event within one year of his conviction (or the conviction of any person employed by him at the time of the offense) of any violation of this section.

5. Upon conviction of a violation of this section, the violator shall be punished as provided in the general penalty section of this code.

6. Exceptions. The prohibitions contained in this section do not apply to the portion of any of these listed establishments where alcoholic beverages, malt beverages or both are not served, or are served, but not dispensed:

a. Restaurants;

b. Bowling alleys.

B. Any person under the age of twenty-one years of age on the premises 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.

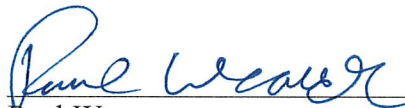
5.09.615 - Prohibited on licensed premises—General Exceptions.

A. No licensee (or the licensee's employee or agent) shall knowingly permit anyone under 21 years of age to enter or remain in the licensed building where alcoholic or malt beverages are dispensed unless:

1. The licensee is operating under a Limited Retail License (Club) or Resort License; or
 2. The licensee applies for and obtains approval of City Council to allow persons under the age of 21 in the licensed premises, on terms or conditions set by City Council; or
 3. The person under the age of 21 is accompanied by their parent or legal guardian who is over 21 years of age, and is only in a licensed room for the sale of alcoholic or malt beverages for off-premises consumption, which room is separated from any licensed room for on-premises consumption; or
 4. The licensee is operating a grocery or retail store, and persons under the age of 21 are only allowed in the areas of the store where alcoholic or malt beverages are not sold; or
 5. The establishment is operating a restaurant and the primary source of revenue (greater than 50% of revenue) of the operation is from the sale of food. Further:
 - a. In calculating the percentage of a licensee's revenue attributable to sale of food and sale of alcoholic and/or malt beverages, the licensee's revenue from package store sales and alcoholic and/or malt beverages sold off-premises pursuant to an Alcohol Catering Permit shall not be included in the calculation; and
 - b. To allow a determination of the percentage of a licensee's revenue attributable to sale of food and sale of alcoholic and/or malt beverages, the licensee shall provide to City Manager or City Manager's designee such documents or other proof of sales as City Manager or City Manager's designee may request.
- B. In no event shall any licensee allow a person under the age of 21 to be seated at a bar from which alcoholic and/or malt beverages are served in the licensed premises.

Section 2. That this ordinance shall become effective upon passage and publication.

Passed and approved this 18th day of May 2021.



Paul Weaver
Mayor and President of the City Council

Attest:



Nancy Bartholomew
City Clerk

First Reading: April 20, 2021
Public Hearing: May 4, 2021
Second Reading: May 4, 2021
Third Reading and Final Action: May 18, 2021

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