

**Article 10-1****LIQUOR LICENSE****Sections:**

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**10-101**      **Definition of Words.**

In the interpretation of this Ordinance, unless the context indicates a different meaning, words shall be construed as defined by the laws of the State of Wyoming. (Ord. No. 26-1, Rev. Ord. 1938; Rev. Ord. 1963; Rev. Ord. 2016-07, 11/1/16).

**10-102**      **License Necessary.**

It shall be unlawful for any person or persons in the City of Rock Springs to vend, sell, barter or dispose of for pecuniary benefit or advantage, either directly or indirectly, in person or by agent or employee, at retail, any spirituous or intoxicating liquors without first having obtained the appropriate liquor license. (Ord. No. 26-1, Rev. Ord. 1938; Rev. Ord. 1963; Rev. Ord. 2016-07, 11/1/16).

**10-103**      **License Necessary for Clubs.**  
**Repealed Ord. 2016-07, 11/1/16****10-104**      **Application to Be in Writing.**

Any person, persons or club desiring to obtain a license to vend, sell, barter or dispose of for any purpose, or in any way, at retail, any spirituous or intoxicating liquors, shall before vending, selling, bartering or disposing of such liquor or liquors make written application for said license to the Mayor and City Council upon forms, and in the manner provided by the laws of the State of Wyoming. (Ord. No. 26-4, Rev. Ord. 1938; Rev. Ord. 1963).

**10-105**      **License Fees--Renewal Date.**

No person, persons or club shall vend, sell, barter or dispose of any spirituous and intoxicating liquors in the City of Rock Springs, without first having paid to the City a license fee and having obtained a license therefore which said fee shall be as follows, vis:

(a) Retail Fee. Every person licensed under a Retail Liquor License, by the provisions of this Ordinance, shall pay annually in advance the sum of not less than Three Hundred (\$300.00) Dollars and not more than Fifteen Hundred (\$1,500.00) Dollars, as established by the Governing Body of the City of Rock Springs, at the time of receipt of the license and upon renewal annually thereafter.

(b) Club Fee. Every club licensed under a Limited Retail Liquor License, by the provisions of this Ordinance, shall pay annually in advance the sum of not less than One Hundred (\$100.00) Dollars and not more than Fifteen Hundred (\$1,500.00) Dollars, as established by the Governing Body of the City of Rock Springs, at the time of receipt of the license and upon renewal annually thereafter.

(c) Resort Retail Liquor Licenses. Every Resort Licensee licensed under a Resort Retail Liquor License by the provisions of Wyoming Statutes and the applicable provisions of Rock Springs Municipal Ordinances, shall pay annually in advance the sum of not less than Five Hundred (\$500.00) Dollars and not more than Three Thousand (\$3,000.00) Dollars, as established by the Governing Body of the City of Rock Springs, at the time of receipt

of the license and upon renewal annually thereafter.

(d) Liquor License Renewal Date. All Liquor License Fees may be prorated with the annual renewal date of all licenses falling on April 1st of each year commencing with the year 1980.

(e) Twenty-four Hour Malt Beverage Permits. Malt beverage permits authorizing the sale of malt beverages only may be issued by the City to any responsible person or organization for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering. No person or organization holding the special permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit. The holder of a microbrewery permit under section 10-108 may also hold a malt beverage permit under this section for the purpose of selling its own brewed malt beverages. (Ord. 2019-10, 5/21/19)

(f) Catering Permits. Catering permits authorizing the sale of alcoholic and malt beverages may be issued by the City to any person holding a retail, resort or manufacturer liquor license authorizing the off-premises sale of both alcoholic and malt beverages, for sales at events not capable of being held within the licensee's licensed premises. No licensee holding a catering permit shall sell or permit consumption of any alcoholic or malt beverage off the premises described in the permit. (Ord. No. 2020-05, 8/4/20; Ord. No. 2021-03, 5/4/21)

(g) Restrictions. The permits authorized by Subparagraphs (e) and (f) shall be issued for one (1) twenty-four (24) hour period, subject to the schedule of operating hours provided by Section 3-234 of these ordinances, and shall not be granted for more than twelve (12) twenty-four (24) hour periods in any one year to the same permittee for a malt beverage permit; and no more than thirty-six (36) twenty-four (24) hour periods in any one year to the same permittee for a catering permit. Catering permits issued hereunder shall not be used to operate a continuing business.

(h) Application Procedure.

(i) Application Procedure. The malt beverage permit and catering permit shall be issued on application to the City without public notice or hearing. Any applicant applying for a permit authorized by this section and having licensed premises located within a jurisdiction other than that jurisdiction to which application is made, shall secure the written approval of the licensing authority of that jurisdiction in which the licensed premises are located prior to filing an application for a permit.

(i) Fees. The fee for the malt beverage permit and the catering permit shall be not less than Ten (\$10.00) Dollars and no more than One Hundred (\$100.00) Dollars per twenty-four (24) hour period, as established by the Governing Body of the City of Rock Springs, at the time of receipt of the license. (Ord. No. 26-5, Rev. Ord. 1938; Ord. 826; Amend. Ord. 843, 12-26-44; Rev. Ord. 1963; Ord. No. 79-27, 9-4-79, Rev. Ord. 1979; Ord. No. 88-02, 3-1-88; Rev. Ord. 00-25, 01/16/01, Ord. No. 2007-13, 7/19/07; Rev. Ord. 2016-07, 11/1/16; Ord. 2017-06, 7/1/17).

#### **10-106 Revocation of License.**

Any license granted under this Ordinance may be revoked and cancelled by the City of Rock Springs, pursuant to the provisions of Wyoming Statute 12-7-201. (Ord. No. 26-6, Rev. Ord. 1938; Rev. Ord. 1963; Rev. Ord. 2016-07, 11/1/16).

#### **10-107 Penalty for Sale of Liquors Without License or Permit.**

It shall be unlawful for any person or persons to sell intoxicating liquors within the corporate limits of this City, without first having obtained a license or permit as provided herein. Any person violating any of the provisions of this section, upon conviction thereof, shall be fined in any sum not less than Ten (\$10.00) Dollars nor more than One Hundred (\$100.00) Dollars for each offense. (Ord. No. 26-10, Rev. Ord. 1938; Rev. Ord. 1963, Ord. No. 79-27, 9-4-79, Rev. Ord. 1979).

**10-108 Microbrewery and/or Winery Permits.**

(a) Subject to the provisions of W.S. Section 12-4-103 of the Wyoming Statutes, excluding W.S. Section 12-4-103(a)(vi), any person, organization, corporation or limited liability company which desires to establish a microbrewery within the City of Rock Springs, Wyoming, shall apply for the appropriate permit pursuant to W.S. Sections 12-4-102 and 12-4-415, and applicable provisions of the Rock Springs Municipal Ordinances.

(i) If the microbrewery application is accepted by the Governing Body and a permit is issued to the applicant, the Governing Body may, in its discretion, expand or restrict said permit, pursuant to pertinent provisions of W.S. Section 12-4-415(b).

(b) Subject to the provisions of W.S. Section 12-4-103 of the Wyoming Statutes, excluding W.S. Section 12-4-103(a)(vi), any person, organization, corporation or limited liability company which desires to establish a winery within the City of Rock Springs, Wyoming, shall apply for the appropriate permit pursuant to W.S. Sections 12-4-102 and 12-4-414, and applicable provisions of the Rock Springs Municipal Ordinances.

(i) If the winery application is accepted by the Governing Body and a permit is issued to the applicant, the Governing Body may, in its discretion, expand or restrict said permit, pursuant to pertinent provisions of W.S. Section 12-4-414(b) (Ord. 2021-03, 5/4/21)

(c) The successful applicant shall pay a fee of not less than Three Hundred (\$300.00) Dollars and not more than Five Hundred (\$500.00) Dollars, as established by the Governing Body, at the time of the receipt of the permit and annually thereafter. When authorizing a microbrewery to operate at more than one (1) location, the applicant shall pay a fee of not less than One Hundred

(\$100.00) Dollars, regardless of the number of locations authorized. When dual ownership of a microbrewery and/or winery permit and a liquor license exists, no additional fee shall be assessed other than the retail, restaurant, resort, or bar and grill license fee. (Ord. 98-08, Amended, 06/02/1998; 96-15, Added, 10/01/1996; Rev. Ord. 2016-07, 11/1/16; Rev. Ord. 2020-05, 8/4/20)

**10-109 Restaurant Liquor Licenses.**

(a) Any person, organization, corporation or limited liability company which desires to receive a restaurant liquor license within the City of Rock Springs shall make application for such license pursuant to the provisions of Wyoming Statutes and the applicable provisions of Rock Springs Municipal Ordinances.

(b) The successful applicant shall pay a fee of not less than Five Hundred (\$500.00) Dollars and not more than Three Thousand (\$3,000.00) Dollars, as established by the Governing Body of the City of Rock Springs, at the time of receipt of the license and upon renewal annually thereafter.

(c) Subject to the approval of the City, any restaurant licensed under this section must have an appropriate dispensing area or areas located within the licensed building as prescribed by the pertinent provisions of W.S. Section 12-4-410. No consumption of alcoholic or malt beverages shall be permitted within the dispensing area(s), nor shall any person other than employees over eighteen (18) years of age be permitted to enter the dispensing area(s). (Amended Ord. 2016-07, 11/1/16; Ord. 2017-06, 7/1/17; Ord. 2021-03, 5/4/21)

**10-110 Bar and Grill Liquor Licenses.**

a) Any person, organization, corporation or limited liability company which desires to receive a bar and grill liquor license within the City of Rock Springs shall make application for such license pursuant to the provisions of

Wyoming Statutes and the applicable provisions of Rock Springs Municipal Ordinances.

b) The successful applicant shall pay a fee of not less than One Thousand Five Hundred Dollars (\$1,500.00) and not more than Ten Thousand Five Hundred Dollars (\$10,500.00), as established by the Governing Body of the City of Rock Springs, at the time of receipt of the license and upon renewal annually thereafter. (Ord. No. 2006-20, 7/5/06).