

Ordinance No. 13-19

AN ORDINANCE ADOPTING TITLE 4, CHAPTER 4A – SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSES DESCRIBED IN THE MUNICIPAL CODE OF PARK CITY AND AMENDING TITLE 4, CHAPTER 4, BEER AND LIQUOR LICENSING; TITLE 4, CHAPTER 5, BEER LICENSES DESCRIBED; TITLE 4, CHAPTER 6, LIQUOR LICENSE DESCRIBED OF THE MUNICIPAL CODE OF PARK CITY

WHEREAS, there is a need to clarify Park City's special event temporary alcoholic beverage licensing process; and

WHEREAS, the Finance Department wishes to simplify the liquor licensing application process; and

WHEREAS, the Park City's temporary special event liquor license was more cumbersome than the State Code; and

WHEREAS, in order to be more effective, the Criminal Background requirements preventing those who have committed felonies or other criminal activity are increased; and

WHEREAS, Police need greater ability to deny liquor licenses for applicants that have shown through previous conduct that they are unlikely to comply with the provisions of the liquor license and/or state and local liquor laws; and

WHEREAS, before an application can be approved or denied it must be reviewed interdepartmentally, therefore, all applications may take up to 10 business days to process; and,

WHEREAS, insurance shall be required for all special event temporary alcoholic beverage licenses and all servers shall be TIP certified; and

WHEREAS, in order to be consistent with the DABC process and allow the City to monitor issuance of the licenses collectively, with the benefit of more time to allow staff review of individual applications for temporary licenses effective during the Sundance Film Festival, Council will not delegate its authority to give local consent; and

WHEREAS, these amendments and adoption provide clarity and ensure internal consistency within the Municipal Code and consistency with the State Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARK CITY, UTAH THAT:

Section I. Amendment. Title 4, Chapter 4, Beer and Liquor Licensing; Title 4, Chapter 5 Beer Licenses Described; and Title 4, Chapter 6, Liquor Licenses Described of the Municipal Code are amended to read as outlined in Exhibit A.

Section II. Adoption. Title 4, Chapter 4A, Special Event Temporary Alcoholic Beverage Licenses is adopted and reads as outlined in Exhibit A.

Section III. Effective Date. This Ordinance shall become effective upon publication.


PASSED AND ADOPTED this 6th day of June, 2013.

PARK CITY MUNICIPAL CORPORATION

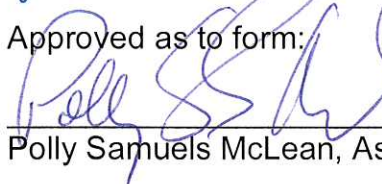


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:


Polly Samuels McLean, Assistant City Attorney

CHAPTER 4 - BEER AND LIQUOR LICENSING

4-4-1. POLICY.

It is the policy of Park City Municipal Corporation to permit the operation of establishments serving beer and liquor in a manner consistent with the provisions of the Alcoholic Beverage Control Act and related provisions of State Law. It is also the policy of Park City Municipal Corporation to place the primary responsibility for maintaining order and preventing breaches of the peace within establishments selling and serving beer and liquor on the owners and managers of those establishments.

~~4-4-2. LICENSE APPLICATION:~~

~~Applications for new beer or liquor licenses shall be made in writing to the City Council or its designee upon a form furnished by the Finance Manager to be filed with the Finance Manager and include the information set forth in (A) through (E) below:~~

~~Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the Licensee qualifications set out in Section 4-4-3;~~

~~A copy of the applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;~~

~~The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or City Council;~~

~~The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and~~

~~If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.~~

~~(Amended by Ord. Nos. 01-32, 10-21)~~

~~4-4A-2. LOCAL CONSENT:~~

~~(A) The issuance of a Park City beer or liquor license may pursuant to Section 4-4-10 below shall constitute local consent for the purpose of any license issued by the state of Utah under the Alcoholic Beverage Control Act.~~

~~(B) Retained Council Authority:~~

~~(i) all Special Event Temporary Alcoholic Beverage Licenses effective during the~~

applicable Sundance Film Festival annual Master Festival License period shall require City Council approval no later than the last regularly scheduled meeting in the ~~preceding~~ month of December.

(ii) An Emergency Meeting may be held by Council to hear no more than twelve (12) applications for late applications. All applications must be complete and submitted no later than the first Friday in January to be heard no later than the second Thursday in January. No more than the first twelve complete applications to be submitted will be heard. A higher fee, pursuant to the fee schedule, will be required due to the expedited nature of the emergency meeting.

(Amended by Ord. No. 10-21)

4-4-2.1. DEFINITION OF APPLICANT OR LICENSEE

Throughout this Title, the term “applicant” or “licensee” shall include the individual, or any partner, managing agent, manager, officer, director, stockholder holding at least 20% of the total issued and outstanding stock of a corporation, or member who owns at least 20% of the limited liability company applying for or being granted a license under this Title.

4-4-3.-. LICENSEE QUALIFICATIONS.

No beer or liquor license shall be granted to any individual, ~~retailer,~~ partnership, corporation, limited liability company, or association if ~~the applicant any partner, director, or officer~~ does not meet the qualifications for a license as set forth in (A) through (~~D~~ E), below:

(A) ~~Must be~~ The licensee shall be over the age of twenty-one (21) years of age or older;

(B) ~~No beer or liquor license shall be granted to anyone who has been~~ Must not have been convicted of:

~~1) or plead guilty to a felony under federal or state law; within two (2) years of date of the application~~

~~2) a violation of a federal law, state law, or local ordinance concerning the sale, offer for sale, warehousing, manufacture, distribution, transportation, or adulteration of an alcoholic product;~~

~~3) a crime involving moral turpitude; or~~

~~4) on two (2) or more occasions within the five (5) years before the day on which the license is issued, driving under the influence of alcohol, drugs, or the combined influence of alcohol and drugs; or of misdemeanors involving alcohol or controlled substances during a period of one (1) year prior to the application;~~

~~(C) No beer or liquor license shall be granted to any person who has been convicted of any violation of any law or ordinance relating to the importation or sale of intoxicating liquors, or of keeping a gambling or disorderly establishment, or who has plead guilty to or forfeited his bail~~

~~on a charge of having violated any such law or ordinance within the preceding three (3) years of the date of application; or~~

~~(DC)– Must not have had any type of Any person whose beer or liquor license was revoked pursuant to this Title is ineligible to reapply for a beer or liquor license until the expiration of within the last three (3) years from the date such license is revoked;~~

~~(D) Must comply with federal and state laws pertaining to the payment of taxes and contributions to unemployment and insurance funds; and~~

~~(E) Must meet all other state requirements for the applicable license.~~

(Amended by Ord. Nos. 01-32, 01-21)

4-4-4.- APPLICATION FEE.

Each beer and liquor license application shall be accompanied by the regulatory license fee required by ~~Section 4-5-2 or Section 4-4-6~~ this Title.– If the license is denied, fifty percent (50%) of the license fee will be retained to pay the costs of processing the application.

4-4-5.- REFERRAL OF LICENSE APPLICATION TO CHIEF OF POLICE.

All applications filed in accordance with this ~~Chapter~~ Title shall be referred to the Chief of Police or designee for inspection and report. ~~– Within ten (10) business days of the date the City receives a complete application, the Chief of Police shall, within ten (10) days after receiving such application, conduct an investigation. – In conducting an investigation and making a recommendation, the Chief of Police or designee may base a decision upon factors such as:~~

- ~~(A) whether the applicant meets the licensee qualifications under this Title or State Code;~~
- ~~(B) any criminal violations or charges against the applicant where the criminal violation at issue would make an applicant ineligible for a license under state statute or this Title;~~
- ~~(C) compliance with state alcoholic beverage laws and this Title;~~
- ~~(D) the nature and kind of business to be conducted at such place by the applicant;~~
- ~~(E) the nature and kind of entertainment that will occur on the premises if licensed, if any, at such place;~~
- ~~(F) policies and safety protections the applicant has in place to restrict minors from accessing the portion or portions of a premises where alcoholic beverages are sold;~~
- ~~(G) policies and safety protections the applicant has in place to prevent minors from gaining access to and/or consuming alcoholic beverages;~~
- ~~(H) and the proximity of ~~such~~ the premises to any community location, school, or church.;~~

~~–The Chief of Police or designee shall, upon completion of such investigation, submit his/her recommendation as to whether the license should be granted. –In making his/her recommendation, the Chief of Police may refer to the character of other licensed premises owned in full or in part by the applicant.–If recommending denial of a special event temporary alcoholic beverage, beer or liquor license application, the Chief of Police or designee shall submit a detailed report of his/her investigation, record the recommendation on the application, and sign the application.–If recommending approval of a beer or liquor license application, the Chief of Police or designee shall record such recommendation on the application, sign the application, and may, at his/her sole discretion, submit a detailed report of the investigation.~~

(Amended by Ord. No. 01-32)

4- 4- 6. REFERRAL OF APPLICATION TO BUILDING DEPARTMENT AND PLANNING DEPARTMENT.

The Finance Manager or designee shall refer the application to the Building and Planning Departments for review by the Building Official to ensure compliance with the applicable building codes; determination of the maximum number of occupants the premises may safely accommodate at one time, given the location and number of emergency exits; and compliance with the Park City Land Management Code, Title 15. The Building and Planning Departments shall, within ten (10) businesses days after receiving such application, submit to the Finance Manager or designee a recommendation to approve or deny the application.

(Amended by Ord. No. 01-32)

4- 4- 7. REFERRAL OF LICENSE APPLICATION TO HEALTH DEPARTMENT.

The Building Department may refer any application filed in accordance with this ~~Chapter Title~~ to the County Health Department which may inspect all premises to be licensed to assure compliance with all laws and regulations of the State of Utah and the ordinances, rules, and regulations of Park City governing the sanitary preparation, storage, distribution, or sale of beer and food.

(Amended by Ord. No. 01-32)

4- 4- 8. PERIODIC INSPECTION OF PREMISES BY CHIEF OF POLICE AND CODE ENFORCEMENT OFFICIALS.

The Chief of Police or ~~his/her~~ designee and Code Enforcement Officials shall be permitted to have access to all premises licensed or applying for license under this ~~Chapter Title~~, and may make periodic inspections of said premises and may report his/her findings to the ~~City Council~~ Finance Manager or designee.

(Amended by Ord. No. 01-32)

4-4-9. GROUND FOR LICENSE DENIAL SUSPENSION, OR REVOCATION.

(1) ~~The City Council or its designee may~~ shall deny a ~~beer or liquor~~ license application under this Title if:

(A) The license application does not contain all of the information required by this Title Section 4-4-2;

(B) The application fee is not paid;

(C) ~~—~~The premises to be licensed do not comply with the applicable zoning regulations and building codes in force at the time of application;

(D) The applicant does not meet the licensee qualifications set out in Section 4-4-3, elsewhere in this Title or in the state code;

(E) The applicant intentionally misrepresented or concealed information required by ~~Section 4-4-2~~this Title in an application for the license;

(F) The proposed premises do not meet all applicable health and building codes, and the applicant does not provide reasonable assurances that the premises will be brought into compliance upon approval of the license;

(G) ~~—~~The applicant holds other licenses under this Title, which are not in good standing, or upon which licensed premises the provisions of this Code and state laws are frequently violated; or

(H) Applicant does not hold a current Park City business license.

(2) The City may suspend, revoke, or not renew a license under this Title if:

(A) The licensee fails to meet the licensee qualifications in Section 4-4-3, or the license could be denied for any of the reasons listed in Subsection (1) above.

(B) The licensee no longer possesses the qualifications required by state and local laws;

(C) The licensee violates state or local alcoholic beverage laws or regulations;

(D) The licensee does not pay an application fee, license cost, or fine;

(E) The licensee fails to maintain a Park City business license;

(F) The licensee fails to notify the City of a change in ownership

(i) For a corporation, this includes changes related to corporate officers, directors of the retail licensee, or shareholders holding at least 20% of the total issued or outstanding stock of the corporation;

(ii) For a limited liability company, this includes changes related to managers of the limited liability company or members owning at least 20% of the limited liability company;

(G) If any of the following fails to complete an alcohol training and education seminar (TIPS);

(i) ~~for~~ Any manager, supervisor that oversees the furnishing of alcoholic products, or any individual who serves an alcoholic product to a patron for consumption on the licensed premises where the license is a retail license,

(ii) Any supervisor who supervises the sale of beer, or individual who sells beer to a patron for consumption off the premises where the license is an off-premise beer retailer-;

~~(B)~~(H) The licensee is an off-premise beer retailer license and the licensee is on probation for multiple violations involving the sale of alcoholic beverages to minors, and the licensee or his/her staff are involved in any violation during the probationary period;

(I) The licensee violates a state alcoholic beverage law, Utah Department of Alcoholic Beverage Control rule, or local ordinance.

(3) Emergency Suspension by Police is applicable for violation of any of the provisions listed above pursuant to Section 4-4-15.

(4) A denial may be appealed pursuant to 4-4-24.

(Amended by Ord. No. 01-32)

4-4-10. ISSUANCE OF LICENSE CERTIFICATE.

All beer and liquor license certificates shall be signed by the City Manager and Finance Manager, attested by the City Recorder under the seal of the City, and shall contain the following information:

(A) The street address of the licensed premises and mailing address if different;

~~(B)-~~ A detailed description of the portion of the building designated as the licensed premises;

(C) The maximum occupancy of the licensed premises;

(D) The beer or liquor license classification;

(E) The name of the person to whom such certificate has been issued and the name of a local contact person;

(F) The name of the business;

(G) The term of the license, including commencement and expiration dates; and

(H) That the license is subject to revocation by the City for violation of this Title or the Alcoholic Beverage Control Act.

(Amended by Ord. No. 01-32)

4-4-11. CITY LICENSE PERIOD.

Unless otherwise provided under this Title, the license certificate shall be valid through December 31 of the year of issuance, unless revoked or suspended under this Title or unless the licensee's required State license is suspended, revoked or denied.

4-4-12. CITY RENEWAL PROCEDURE.

On or before December 1 of each year, the City shall send via first class mail, notice to each beer, restaurant liquor or Club Licensee within the City that the regulatory license fee required by ~~Section 4-5-2 or 4-6-6~~ this Title is due by December 31st. Upon receipt of the regulatory license fee and finding that renewal is proper pursuant to the criteria in this Title and set forth herein at Subsections (A) through (E), the ~~City Council~~ Finance Manager or ~~its~~ designee shall issue a license certificate valid through December 31st of the next licensing year.

Upon notification by the Police Department, the licensee must close the licensed premises on the expiration date of the license and keep the premises closed for the consumption or storage of beer or liquor until the date his/her renewal license is issued by the ~~City Council~~ Finance Manager or ~~its~~ designee. In the absence of such notice, pending action on license renewals, the license is deemed extended provided a renewal application was filed on or before December 31 of the year in which the prior license was issued. The Finance Manager or designee shall prepare a list or lists of all licenses to be renewed, and the ~~City Council~~ Finance Manager or ~~its~~ designee may approve all renewals on that list or lists.

Licenses shall be renewed unless the ~~Council~~ Finance Manager or ~~its~~ designee shall find ~~that~~:

(A) The licensee has attempted to transfer or assign the license to others in violation of this Title;

(B) The licensee no longer holds the qualifications required of licensee under the provisions of ~~Section 4-4-3~~ of this Title;

(C) The premises have been remodeled or changed in a manner that eliminates required exits, creates closed booths or stalls;

(D) ~~The licensee or his/her~~ employees or agents have been convicted of or plead guilty to more than five (5) violations of this Title or state liquor control statutes relative to the conduct of the licensed premises in a single calendar year preceding the renewal, not including violation by patrons; or

(E) Licensee does not hold a current valid Park City business license ~~or has not been exempted under Chapter 2 of this Title.~~

In the event the ~~Council-Finance Manager~~ or ~~its~~ designee finds any of the foregoing conditions (A) through (E) to exist with respect to a license renewal application, the ~~Council-Finance Manager~~ or ~~its~~ designee may waive the violations and grant a renewal license, grant a probationary renewal for a fixed period of time less than one year, or deny the application for renewal. ~~When deemed appropriate, the Council may hold hearings on specific license renewal applications prior to granting the renewal license.~~

(Amended by Ord. Nos. 01-32, 10-21)

4- 4-13. LICENSES NON-TRANSFERABLE.

No license issued under this ~~Chapter-Title~~ is transferable from the original licensee to any other person, partnership, corporation or other entity. ~~Each year, as a part of the renewal process, the licensee shall indicate the board of directors, or all partners, and if there are any changes from the previous year, the license shall be reviewed as a new application to the extent of the changes in ownership.~~

(Amended by Ord. No. 01-32)

4- 4-14. TRAINING REQUIREMENTS FOR THE EMPLOYEES OF BEER AND LIQUOR LICENSE PREMISES.

No ~~person-applicant~~ shall be granted a special event temporary alcoholic beverage, new beer or liquor license, unless that person-applicant shall show by certificate(s) granted by the DABC or by adequate proof of the existence of such certificate(s), that each employee of the business engaging in the serving, selling or furnishing of such alcohol on the premises has completed the Alcohol Training and Education Seminar, as required in U.C.A. Section 62A-15-401.

Every new employee of a licensee who is required to complete this seminar shall complete the seminar within thirty (30) days of commencing employment. ~~Violation of this Section will result in revocation of the license granted unless the licensee provides to the Finance Manager or designee proof of compliance within thirty (30) days of the time that licensee is first notified that~~

such violation occurred.

(Amended by Ord. Nos. 01-32, 10-21)

4- 4-15.- EMERGENCY SUSPENSIONS BY POLICE.

Licenses under this ~~Chapter-Title~~ may be suspended by the Chief of Police or ~~his/her~~ designee without prior hearing provided ~~that~~ there is probable cause to believe ~~that~~ violations of this ~~Chapter-Title~~ or state law are occurring, and the conditions are such that the public health and safety are endangered. Such temporary suspension shall occur only if the management or the licensee fails to remedy the situation within fifteen (15) minutes of notification by the Chief of Police or ~~his/her~~ designee that a suspension will occur if the conditions complained of are not remedied in a manner that eliminates the immediate danger to public health and safety.- No emergency suspension by the Chief of Police or ~~his/her~~ designee shall extend beyond the ordinary close of business on the day on which the suspension was given.

(Amended by Ord. No. 01-32)

4- 4-16.- OFFENSES OF LICENSEE.

It shall be unlawful for the holder of any license issued under this ~~Chapter-Title~~ or any employee or agent of the holder to cause or permit to be caused on his or her premise any of the following acts:

(A) **SALE DURING REVOCATIONS.**- To sell any beer or liquor during any period of a license revocation or suspension.

(B)- **FAILURE TO DISPLAY LICENSE.**- To fail to have the license issued under this ~~Chapter-Title~~ on display in the licensed premises.

(C) **EXCESS HOURS OF OPERATION.**- Beer may not be sold or offered for sale by any on-premise Beer retailer after 1:00 a.m. and before 10:00 a.m.

(1) Liquor may not be sold or offered for sale at a duly licensed restaurant during the following days or hours:

(a) on any day after 12 midnight and before 12 noon.

(2) Liquor may not be sold or offered by a Club Licensee -during the following days or hours:

(a) all days after 1:00 a.m. and before 10:00 a.m.

Holders of off-premise beer licenses may sell beer for consumption off the premises at any time of day.

(D) **MINORS ON THE PREMISES.**- To permit a minor to be in or enter into a licensed premises which holds an on-premise tavern beer license.- There shall be no restriction on the

admission of minors being in or remaining in any of the following licensed premises:

- (1) Off-Premise Beer License
- (2) On-Premise Beer License, except taverns
- (3) Restaurant Liquor Licenses
- (4) Temporary Licenses of these classifications

It shall not be a violation of this ~~Chapter-Title~~ for minors to enter a licensed club, provided, however, that minors must be accompanied by a parent or guardian, and shall be only within an area of the licensed premises designated as food service area. ~~It shall be unlawful for any Club Licensee to permit minors to be within the license premises when not accompanied by a parent or guardian, or to permit minors to remain in or about the liquor service portion of the premises. Licensees may prohibit minors from entering the premises at all at their discretion by posting a sign at the entrance that states that minors are not permitted inside.~~

Except as otherwise provided herein, it shall not be a violation of this ~~Chapter-Title~~ to permit minors to work in any licensed premises, regardless of license classification, provided that minors shall not work in any capacity that involves handling, selling, or serving alcoholic beverages. ~~It shall be unlawful to permit minor employees to sell, serve, or handle alcoholic beverages. Minors may not work on or otherwise be on the premises of an On-Premise Retail Tavern.~~

(E) **SALE OR SERVICE TO MINORS.** ~~To furnish or sell, directly or indirectly, through its agents or employees, an alcoholic beverage to persons under the age of twenty-one (21) years, or to permit patrons within the licensed premises to provide alcoholic beverages to persons under the age of twenty-one (21) years on the licensed premises.~~

(F) **NUISANCE.** ~~To keep or permit a nuisance on the premises as defined by ~~Section 4-1-1~~ of this Title.~~

(G) ~~–~~ **UNTAXED LIQUOR.** ~~To possess or sell on the licensed premises any liquor which was not purchased from a Utah State Liquor Store or a package agency of that store, except as provided by State law.~~

(H) **ADULTERATED ALCOHOLIC BEVERAGES.** ~~To possess or sell on the licensed premises any adulterated, impure, diluted, or misbranded liquor.~~

(I) **FAILURE TO CONTROL NOISE.** ~~To permit or provide either live or recorded amplified music without first having closed all exterior doors and windows of the licensed premises to control noise. Doors may be opened to provide ingress and egress, but shall not be blocked in the open position to provide ventilation. Doors shall be equipped with automatic closing devices to keep them in the closed position except to permit ingress and egress of patrons.~~

(J) **OUTDOOR SPEAKERS.**—To permit or cause to exist any loud speaker or sound amplification equipment on any outdoor balcony deck, patio, or garden associated with the licensed premises other than speaker systems or sound amplification equipment in conjunction with approved outdoor dining.

(K)— **EXCESS HOURS OUTSIDE.**—To sell or service alcoholic beverages or to permit patrons to remain on any outdoor balcony, deck, patio, or garden associated with the licensed premises after the hour of 10 p.m. except licensed premises may permit patrons to ingress and egress through a closed door to such an area until 12 a.m. provided that food and alcohol are neither sold nor allowed to be consumed or carried out to the area.

(L) **GAMBLING.**—To permit, cause, participate, or allow any gambling or gaming, as defined by the laws of the state of Utah within any licensed premises.

(M)— **CONTROLLED SUBSTANCES.**—To permit or tolerate, or participate in the use, sale, or possession of any unlawful controlled substance within the licensed premises.

(N) **OVERLOADING.**—To permit or tolerate the licensed premises to be occupied by more person than the assigned occupancy load for the building assigned by the Building Official or Fire Marshall under the Uniform-applicable Building and Fire Code regulations.

(O) **LICENSE VIOLATION.**—To permit the consumption of alcohol on any premises licensed with an off-premise beer license, or to open any container for consumption on the premises by the holder of any off-premise beer license or his/her agents or employees; or to permit, cause, or tolerate on the licensed premises the sale, use, consumption, or possession of alcoholic beverages in a manner that is in violation of the limits imposed by the license granted.

(P)— **SERVICE OF INTOXICATED PERSONS.**—To sell or serve alcoholic beverages to a person who is obviously intoxicated, or to permit an obviously intoxicated person to remain in or about the premises.

(Q) **OPERATING WITHOUT REQUIRED STATE LICENSES.**—To continue to sell, serve or store alcoholic beverages on a licensed premise after the state license required under the Alcoholic Beverage Control Act has been denied, suspended or revoked.

(Amended by Ord. Nos. 01-32; 06-62; 07-38; 10-21)

4-4-17.— OFFENSES BY PATRONS.

It shall be unlawful for any person within a licensed premise under this ChapterTitle, whether as a guest, patron, invitee, supplier, or in any other capacity other than as an employee of the license holder or as the licensee to commit or perform any of the following within the licensed premises:

(A)— To enter or remain in any licensed premises holding an on-premise tavern license while

under the age of twenty-one (21) years.

(B) To enter or remain in any premises licensed as a private club while under the age of twenty-one (21) years, except when accompanied by a parent or guardian or as a non-alcoholic handling employee of the licensee.

(C) To be in or around the portion of any licensed premise holding a private club license which is designated or functioning as a liquor selling portion of the premises, rather than the area primarily designed and intended for the sale of food when under the age of twenty-one (21) years.

(D) To furnish directly or indirectly alcoholic beverages to any persons under the age of twenty-one (21) years, or to possess or consume alcoholic beverages while under the age of twenty-one (21) years.

(E) To enter or remain in any licensed premises after being ordered to leave the premises by the licensee or the agent or employees of the licensee.

(F) To enter or remain in any licensed premises while intoxicated.

(Amended by Ord. No. 10-21)

4- 4-18. CITATIONS/ VIOLATIONS.

The commission of any act or offense listed in Section 4-4-16 or 4-4-17 above shall be a Class "B" misdemeanor, except violations of Section 4-4-16(E) and (Q) shall be Class A misdemeanors. Both the license holder ~~and/or his-an~~ employee or agent, and the patron of the licensed premises may be charged from the same incident, as the offenses of the licensee and the offenses of the patron are separate offenses. The licensee shall be civilly responsible for all violations permitted or caused by the agent or employee of the licensee and the criminal acts of the employees or agents committed on the premises in the course of employment shall be deemed the acts of the licensee for purposes of revocation, suspension, or non-renewal by the City

4- 4-19. WHOLESALE AND RETAILER NOT TO HAVE COMMON INTERESTS.

It shall be unlawful for any dealer, brewer or wholesaler to either directly or indirectly supply, give or pay for any furniture, furnishings or fixtures of a retailer, and it shall be unlawful for any dealer or brewer to advance funds, money or pay for any license of a retailer or to be financially interested either directly or indirectly in the conduct, operation, or ownership of any premises with a beer license, "club" liquor license or "seasonal" license for any of these license classes.

(Amended by Ord. No. 20-21)

4- 4-20. BUILDING REQUIREMENTS.

It shall be unlawful for any person who obtains a liquor or beer license after the adoption of this ~~Chapter-Title~~ to own, operate or manage any premises licensed for the retail sale or consumption of beer or liquor without complying with the following lighting and view requirements:

(A)- During business hours, adequate lighting shall be maintained in all areas of the licensed premises to allow safe movement within the licensed premises, visibility for business activity, and visibility of all areas of the licensed premises from a point within the licensed premises at or near the main public entrance.

(B) A clear, unobstructed view of all areas of the licensed premises shall be available at all times from a point within the licensed premises at or near the main entrance.

Persons who have obtained beer or liquor licenses from the City before adoption of this ~~Chapter-Title~~ and who annually renew their licenses with the City shall not be required to comply with the requirements of this section.

4- 4-21.- CLOSED STALLS AND BOOTHS PROHIBITED.

It shall be unlawful for any closed booths or stalls to exist on premises licensed for the retail sale or consumption of beer or liquor.- This provision shall not prevent the use and operation of private dining or conference rooms as a part of the licensed premises.

4- 4-22.- OCCUPANCY LOAD.

On any premises licensed after the date of this ~~Chapter-Title~~, the Building Official shall determine the maximum safe occupancy load of the building, as provided in the ~~Uniform International Building Code~~, and it shall be unlawful and a Class "B" misdemeanor for any license with an assigned occupancy load to permit more than that number of persons to be within the licensed premises.- Once an occupancy limit is assigned, the limit shall be posted with the license in a prominent place within the licensed premises.- This provision shall not apply to premises licensed as off-premise beer licenses.

4- 4-23.- APPLICABILITY.

The provisions of this ~~Chapter-Title~~ shall apply to all licensed premises and all licensees who are issued either a new license or a renewal of an existing license after the date of this ~~Chapter-Title~~. Amendments to this ~~Chapter-Title~~ may be made from time to time, and all licenses or renewals issued hereunder are subject to amendments as they become effective, except that amendments which address structural requirements of any licensed premises existing at the time of the amendment shall not apply to existing structures until such time as the license is transferred, forfeited, or allowed to expire.- As existing structures are sold, remodeled, or re-licensed, but not on renewal of existing licenses, however, full compliance will be required prior to the issuance of a new license, new class of license, or license to a new licensee at that location.

4- 4- 24. APPEALS OF LICENSE DENIAL OR REVOCATION.

Denial or revocation of a license under this Title may be appealed within five (5) days to the City Manager by written notice of appeal. The notice of appeal shall be filed with the City Recorder. The City Manager may consider the appeal based upon the written submissions. However, for good cause shown, the City Manager may also hear oral evidence and argument. The City Manager shall consider the matter using an error of law standard of review.

CHAPTER 4A – SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSES DESCRIBED

4- 4A- 1. SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE REQUIRED.

It shall be unlawful for any person to sell beer or liquor at any event within the City without first procuring a Special Event Temporary Alcoholic Beverage License as required by this Title. No alcoholic beverages may be served at any event(s) at which natural person(s) or entities (including, but not limited to corporations, partnerships, unincorporated associations or joint ventures) will be engaging in business unless a Special Event Temporary Alcoholic Beverage License is secured prior to the event.– A City issued Special Event Temporary Alcoholic Beverage License is required if Engaging In Business at an event, even if a State Department of Alcoholic Beverage Control (DABC) license is not required.

In addition to the City license, a State Temporary Beer Event Permit or Single Event Permit shall be required for all sales of beer or liquor at any event. No license may be transferred, assigned or subleased in any manner. Licenses are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act and this Title.

4- 4A- 2. LICENSE APPLICATION.

Applications for a Special Event Temporary Alcoholic Beverage License shall be made on behalf of a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit, in writing, to the Finance Manager or designee and include the information set forth in (A) through (G) below:

- (A) Each application shall list the street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' local agent for service of process; and any other information required by the Finance Manager or designee;
- (B) The name, street address, mailing address, date of birth, and driver's license of the party responsible for completing the application and supervising the event at which the license will be used;
- (C) A statement detailing applicant's criminal history and certified and signed by the applicant;
- (D) The application must be subscribed by the applicant who shall state under oath that the facts contained therein are true;
- (E) A certificate of existence and a copy of the articles of incorporation, the written partnership agreement, or other applicable documentation showing entity has been in existence for at least one (1) calendar year prior to the date of application;

(F) The name, contact information, and/or any other information needed by the City to verify each officer, partner, or director meets the requirements set forth in the statutes of Utah and this Title; and

(G) Affirmation indicating each officer, partner, or director meets the Licensee qualifications set forth in the statutes of Utah and this Title;

Applications may take up to ten (10) business days to process. As provided by this Title, applicants may not store, sell, serve or otherwise facilitate the consumption of alcoholic beverages by others until applicant has procured a license as required by this Title and, if required a State issued license.

4- 4A- 3. REGULATORY SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all Special Event Temporary Beer Licenses and Special Event Liquor Licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the Finance Manager or designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 4A- 4. SPECIAL EVENT TEMPORARY ALCOHOLIC BEVERAGE LICENSE.

(1) A Special Event Temporary Alcoholic Beverage License shall grant a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise the privilege to store, sell, service and consume alcoholic beverages in accordance with (i) an applicant's State liquor license or (ii) in case of Business activity where a State liquor license is not required, as outlined below.

(2) The privileges granted by this license shall be limited by the type of temporary license or permit the applicant obtains from the State as follows:

(A) Where an applicant obtains a State Temporary Beer Event Permit, this license shall carry the privileges and responsibilities granted State Temporary Beer Event Permit holders and shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) days. A State Temporary Beer Event Permit may authorize multiple sales outlets on different properties under one State Temporary Beer Event Permit. No person, entity, or association shall in any one (1) calendar year operate under a Special Event Temporary Alcoholic Beverage License for more than a total of ninety (90) days; or

(B) Where an applicant obtains a State Single Event Permit this license shall carry the privileges and responsibilities granted State Single Event Permit holders and shall

authorize for a period not to exceed one-hundred and twenty (120) consecutive hours or five (5) consecutive days the storage, sale, service and consumption of liquor. In any one (1) calendar year an applicant may obtain up to twelve (12) licenses provided that all such licenses in the calendar year are for seventy-two (72) hours or fewer. If any license issued to an applicant within one (1) calendar year exceeds seventy-two (72) hours, applicant may obtain no more than four (4) special event liquor licenses for that one (1) calendar year.

(3) Special Event Temporary Alcoholic Beverage Licensees must provide the Finance Manager or designee with proof of State licensure if required not less than ten (10) business days prior to the event for which the City license has been issued. Unless otherwise provided for in this Title, Special Event Temporary Alcoholic Beverage Licenses shall be valid only if a licensee has received a State liquor license from the Utah Alcoholic Beverage Control Commission for the same event. All licensees must notify the Finance Manager or designee immediately if their State license is denied, revoked, or suspended for any reason. In the event an applicant is not required to obtain a State Temporary Beer Event Permit or State Single Event Permit, the privileges granted by a Special Event Temporary Alcoholic Beverage License shall be contingent upon the type of alcoholic beverages to be served at the event as established by the Special Event Temporary Alcoholic Beverage License application. Applicants serving only beer at an event shall receive the privileges and shall be subject to the limitations described in (2)(A) above. Applicants serving any liquor at an event shall receive the privileges and shall be subject to the limitations described in (2)-(B) above.

(4) Subject to the limitations set forth in (2)-(A) and (B), a Special Event Temporary Alcoholic Beverage License shall authorize the storage, sale, service and consumption of alcoholic beverages in conjunction with a master festival, special event, convention, civic or community event and pursuant to the Utah Alcoholic Beverage Control Act, Alcoholic Beverage Control Commission rules and regulations, and the ordinances of Park City.

(5) No person under the age of twenty-one (21) shall sell or serve alcohol under a Special Event Temporary Alcoholic Beverage License.

4- 4A- 5. INSURANCE REQUIREMENTS.

No Special Event Temporary Alcoholic Beverage Event may take place until the applicant presents the Finance Manager or designee proof of liquor liability insurance coverage in the amount of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate or more as may be required by the Finance Manager or designee based on factors such as the nature, size and location of an event.

CHAPTER 5 - BEER LICENSES DESCRIBED

4-5-1. BEER LICENSE REQUIRED.

It shall be unlawful for any person to engage in the business of the sale of beer at retail or wholesale within the City without first procuring a beer license as required by this ~~Chapter~~ Title. In addition to the City license, a State beer license shall be required for all sales of beer for on-premise consumption or for purchase or sale of beer in a container exceeding two liters. ~~A~~ separate license shall be required for each place of retail sale, for each separate premise, except that separate licenses are not required for each retail beer dispensing outlet located in the same building or on the same resort premise owned or operated by the same applicant. ~~No~~ beer license may be transferred, assigned or subleased in any manner. ~~Licenses~~ are invalidated by transfer or attempted transfer. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, and this Title. No Beer License shall be issued for any club or bar in the HCB District or HRC District that is regulated as a Storefront Property pursuant to LMC Chapter 15-15 unless the general public may join the club, either as an annual member or a temporary visitor, and the cost of that annual membership or temporary visitor card is not more than \$50.00.

(Amended by Ord. Nos. 07-28; 07-69; 10-21)

4-5-2. LICENSE APPLICATION.

Applications for new beer licenses shall be made in writing to the Finance Manager or designee and include the information set forth in (A) through (E) below:

- (A) Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the Licensee qualifications set out in this Title;
- (B) The applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;
- (C) The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or designee;
- (D) The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and
- (E) If the applicant is a partnership, association, corporation, or limited liability company the applicant shall include a certificate of existence, copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.

4- 5- ~~23~~.- **REGULATORY BEER LICENSE FEE.**

The regulatory liquor license fee shall be set by resolution for all beer licenses.- The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City.- This fee may be waived by the ~~City Council~~ **Finance Manager** or ~~its~~ designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4- 5- ~~43~~.- **RETAIL BEER LICENSE CATEGORIES.**

Retail beer licenses issued under the provisions of this ~~Chapter~~ **Title** shall be classified and carry the privileges and responsibilities hereinafter set forth in this ~~Chapter~~ **Title**:

(A) **OFF-PREMISE BEER LICENSE**. An off-premise retail license shall entitle the licensee to sell bottled or canned beer on the licensed premises in accordance with the Alcoholic Beverage Control Act and the ordinances of Park City.

(1) Beer may not be sold, provided, or possessed for off-premise consumption in containers larger than two (2) liters.

(2) A minor may not sell beer for off-premises consumption except under the supervision of a person twenty-one (21) years of age or older who is on the premises.

(3)- A beer retailer shall display beer sold by the retailer in an area that is visibly separate and distinct from the area where nonalcoholic beverages are displayed except that nonalcoholic beer may be displayed with alcoholic beer.

(4)- The beer retailer shall post a sign that reads, "These beverages contain alcohol. Please read the label carefully."

(5) No consumption of beer or alcoholic beverage shall be permitted on the premises of an off-premise licensee.

(B) **ON-PREMISE RETAIL BEER LICENSE**. Any establishment desiring to sell beer at retail for on-premise consumption shall first obtain a Park City on-premise retail beer license and a State on-premise retail beer license as required under U.C.A. Section 32A-10-201.- An on-premise retail beer license shall entitle the licensee to sell beer at retail in bottles, cans or at draft for consumption on the premises.

All State-issued on-premise beer retail licenses expire on the last day of February of each year. Accordingly, applicants must submit a renewal application to the DABC -no later than January 31st of each year.- City beer licenses shall expire on December 31st of each year and the licensee must submit a renewal application to the City prior to December 15th.- All licensees must notify the City immediately if the State license is denied or revoked for any reason.- On-

premise licensees must provide the City with proof of State licensure by March 1 of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder.

On-premise beer retail license holders may sell beer in open containers, in any size not exceeding two (2) liters, and on draft. ~~—Liquor may not be stored or sold on the premises of any on-premise retail beer licensee. —Beer sold in sealed containers smaller than two (2) liters by the on-premise Licensee may be removed from the premises.~~

There are two types of licenses to be issued under this Section:

(1) **ON-PREMISE RETAIL TAVERN LICENSE.** ~~—An on-premise retail tavern license shall be required for all premises where the primary or main business is that of selling beer for consumption on the licensed premises. —An on-premise retail tavern license shall entitle the licensee to sell bottled, canned, or draft beer for consumption on the licensed premises. —No person under the age of twenty-one (21) years shall be employed or otherwise be on the premises licensed as an on-premise retail tavern.~~

(2) **ON-PREMISE RETAIL BEER LICENSE - ALL OTHERS.** An on-premise retail beer license restaurant shall entitle the licensee to sell beer at retail in bottles, cans or draft for consumption on the premises in conjunction with restaurant food service. ~~—No person under the age of twenty-one (21) years shall serve or sell beer under this license.~~

~~(C) **SPECIAL EVENT TEMPORARY BEER LICENSES.** A special event temporary beer license shall carry the privileges of either an on-premise or off-premise license. A special event temporary beer license shall authorize the storage, sale, service and consumption of beer in conjunction with a master festival, special event, convention, civic or community event and pursuant to the Utah Alcoholic Beverage Control Act, Alcoholic Beverage Control Commission rules and regulations, and the ordinance of Park City. No person under the age of twenty-one (21) shall sell or serve beer under this license. Special event temporary beer licenses shall be valid only if the licensee has been granted a temporary special event beer permit by the Utah Alcoholic Beverage Control Commission pursuant to U.C.A. Sections 32A-10-301 to 306, as amended, for the same master festival, special event, or other convention, civic or community event. Special event temporary beer licenses must provide the City with proof of State licensure not less than ten (10) business days prior to the master festival, special event, or other convention, civic or community event for which the City license has been issued. All licensees must notify the City immediately if their State license is denied, revoked, or suspended for any reason. A temporary beer license shall authorize the storage, sale, service and consumption of beer for a period not to exceed thirty (30) days. No person, individual, or association shall in any one (1) calendar year be licensed for more than a total of ninety (90) days.~~

~~A special event temporary beer license may authorize multiple sales outlets on different properties under one special event temporary beer license.~~

~~(CD)~~ **BEER CLUB LICENSE.** ~~—A Beer club Licensee shall carry the privileges of a tavern beer license provided that such license shall be issued only to bona fide clubs which are organized, incorporated, bonded, regulated, and operated in compliance with the Alcoholic~~

Beverage Control Act, and the Utah Alcoholic Beverage Control Commission Rules and Regulations.

(Amended by Ord. Nos. 04-19; 08-14; 10-21)

CHAPTER 6 - LIQUOR LICENSE DESCRIBED

4-6-1. LIQUOR LICENSE REQUIRED.

No person shall operate a place of business; which allows customers, members, guests, visitors, or other persons to possess, consume, or store liquor on the premises of the place of business without a liquor license issued by the City. A separate license shall be required for each place of business. No liquor license may be transferred, assigned, or subleased in any manner. All licensees shall comply with the provisions of the Alcoholic Beverage Control Act, Utah Alcoholic Beverage Control Commission rules and regulations, and this ~~Chapter~~ Title. No Liquor License shall be issued for any club, bar or restaurant in the HCB District or HRC District that is regulated as a Storefront Property pursuant to LMC Chapter 15-15, as described in Sections 4-6-2 and 4-6-3 unless the general public may join the club, either as an annual member or a temporary visitor, and the cost of that annual membership or temporary visitor card is not more than \$50.00.

(Amended by Ord. Nos. 07-28; 07-6; 10-21)

4-6-2. LICENSE APPLICATION.

Applications for a new liquor license shall be made in writing to the Financial Manager or designee and include the information set forth in (A) through (E) below:

- (A) Each application shall state the name, street address, mailing address, age and citizenship of the applicant; and contain an indication as to whether the applicant meets the licensee qualifications set out in this Title;
- (B) The applicant's criminal history obtained from the Utah Bureau of Criminal Identification completed within three years of application;
- (C) The Street address of the business; whether the applicant has complied with requirements specified in the Alcoholic Beverage Control Act; the location of any other beer or liquor licenses held by the applicant; the name and Utah address for the business' agent for service of process; and any other reasonably pertinent information required by the Finance Manager or designee;
- (D) The application must be subscribed by the applicant who shall state under oath that the facts therein contained are true; and
- (E) If the applicant is a partnership, association, corporation, or limited liability company the

applicant shall include a certificate of existence, a copy of the articles of incorporation or the written partnership agreement; and the information set forth in (A) and (B) for each officer, partner, or director.

(Amended by Ord. Nos. 01-32, 10-21)

4-6-3. REGULATORY LIQUOR LICENSE FEE.

The regulatory liquor license fee shall be set by resolution for all liquor licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol related enforcement and responding to alcohol related offenses within Park City. This fee may be waived by the Finance Manager or designee for temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations. This fee may be waived by the Finance Manager or designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.

4-6-~~42~~. RESTAURANT LIQUOR LICENSE.

A restaurant liquor license shall only be issued to persons licensed by the Utah Alcoholic Beverage Control Commission under U.C.A. Section 32A-4-101 to 106, as amended. A "restaurant" liquor license shall entitle the licensee to provide liquor to patrons for consumption on the premise. Only bona fide restaurants shall be entitled to a restaurant liquor license. Patrons must intend to order food, which is prepared, sold, and served on the premises, in accordance with the Alcoholic Beverage Control Act and Utah Alcoholic Beverage Control Commission rules and regulations and the ordinances of Park City. Liquor is to be provided only in conjunction with a meal, and it shall be unlawful to serve or sell liquor except with a meal. No person under the age of twenty-one (21) years shall serve or sell liquor under this license. All liquor must be purchased in the restaurant from a server designated and trained by the licensee. Any alcoholic beverages under this license must be consumed at the patron or guest's table. A restaurant liquor license shall not entitle the storage of liquor on the licensed premises, except as designated on the application.

A restaurant liquor licensee may sell or provide a primary spirituous liquor only in a quantity not to exceed 1.5 ounces per beverage dispensed through a calibrated metered dispensing system approved by the Commission, except that:

(A) A spirituous liquor need not be dispensed through a calibrated metered dispensing system if used as a secondary flavoring ingredient in a beverage subject to the following restrictions:

(1) the secondary ingredient may be dispensed only in conjunction with the purchase of a primary spirituous liquor.

(B) Spirituous liquor need not be dispensed through a calibrated metered dispensing system if used as a flavoring on a dessert; and in the preparation of a flaming food dish, drink, or dessert;

(C) A restaurant patron may have no more than 2.5 ounces of spirituous liquor at a time; and a restaurant patron may have no more than one spirituous liquor drink at a time before the patron.

All holders of restaurant liquor licenses shall maintain records which shall disclose the gross sales of liquor and the gross sales of food served and any other items sold for consumption on or off the premises. ~~Such sales shall be shown separately.~~ Each licensee shall retain all invoices, vouchers, sales slips, receipts, and other records of beer and other commodity purchases from all suppliers. ~~Such records shall be available for inspection and audit by the Director of Finance~~ Finance Manager ~~or his or her~~ designee at any time following the close of the semi-annual period and for one (1) year thereafter, or as required by State regulations. ~~Failure to properly maintain such records for such inspection and audit shall be cause for revocation of the restaurant liquor license.~~

Each restaurant liquor licensee shall maintain at least seventy percent (70%) of its total restaurant business from the sale of food, which does not include mix for alcoholic beverages or service charges. ~~If any audit or inspection discloses that the sales of food on the licensed premises are below seventy percent (70%) of the gross dollar volume of business for any semi-annual period, the restaurant liquor license shall immediately be suspended and shall not be reinstated until the licensee is able to prove to the satisfaction of the City Council Finance Manager or its~~ designee that in the future, the sales of food on the licensed premises will not fall below seventy percent (70%) of the gross dollar volume of business.

All Park City issued restaurant liquor licenses shall expire on December 31st of each year thereafter. ~~All State-issued restaurant liquor licenses expire on October 31st of each year.~~ All licensees must notify the City immediately if the State liquor license is denied, suspended or revoked for any reason. ~~Restaurant liquor license applicants must provide the City with proof of State licensure by December 1st of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder.~~ All renewal applications must attach a copy of a valid State license.

(Amended by Ord. No. 10-21)

4-6-~~53~~. PRIVATE CLUB LIQUOR LICENSE.

A liquor club Licensee shall be entitled to serve, sell, and store liquor, pursuant to Utah Alcoholic Beverage Control Commission rules and regulations, and the ordinances of Park City. No person under the age of twenty-one (21) years shall serve or sell liquor. ~~All State-issued club licenses shall expire December 31st of each year.~~ All State-issued club liquor licenses expire on June 30 of each year. ~~All licensees must notify the City immediately if the State-issued club liquor license is denied, suspended or revoked for any reason.~~ Club liquor license applicants must provide the City Finance Manager or designee with proof of the State licensure by July 1st of each year or be subject to cancellation, revocation or termination of the City's license issued hereunder. ~~All renewal applications must attach a copy of a valid State license.~~

(Amended by Ord. Nos. 10-21)

~~4-6-64.-~~ SEASONAL LIQUOR LICENSE.

A seasonal liquor license shall carry the privileges of a restaurant liquor license for a period of less than one (1) year to be determined by the ~~City Council~~Finance Manager or its designee. No person under the age of twenty-one (21) years shall sell or serve liquor under this license.

~~4-6-5.——SPECIAL EVENT LIQUOR LICENSE.~~

~~A special event liquor license shall authorize for a period not to exceed one hundred and twenty (120) consecutive hours or five (5) consecutive days the storage, sale, service and consumption of liquor at an event sponsored by a bona fide association, corporation, church or political organization or a recognized lodge, chapter or other local unit that is conducting a convention, civic or community enterprise. The City may not issue more than four (4) special event liquor licenses in any one (1) calendar year to the same association, church, or political organization, chapter, lodge or unit thereof, if any special event liquor license issued in any one (1) calendar year to said association, church, or political organization, chapter, lodge or unit thereof exceeds seventy-two (72) hours. If no special event liquor license exceeding seventy-two (72) hours has been granted to said association, church, or political organization, chapter, lodge, or unit thereof in any one (1) calendar year, the City may issue up to twelve (12) single event liquor licenses provided that all such licenses in the calendar year are seventy-two (72) hours or fewer.~~

~~A special event liquor license may authorize multiple sales outlets on different properties under one special event liquor license.~~

~~(Amended by Ord. Nos. 04-19; 08-14; 10-21)~~

~~4-6-6 REGULATORY LIQUOR LICENSE FEE.~~

~~The regulatory liquor license fee shall be set by resolution for all liquor licenses. The regulatory license fees shall be used by the City to defray, in part, the costs of alcohol-related enforcement and responding to alcohol-related offenses within Park City. This fee may be waived by the City Council or its designee for temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations. This fee may be waived by the City Council or its designee for special event temporary licenses issued to persons participating in community sponsored events, or in events sponsored by or for the benefit of non-profit, civic, religious, or charitable organizations.~~