



Date: September 15, 2026
Department: Clerk's Office
Presenter: Sarah Greenwald, Assistant Clerk
Subject: Review and Update of Liquor Ordinance No. 2021-05

Purpose

To request Council direction for staff and the Town Attorney to prepare a comprehensive update to Ordinance No. 2021-05 so the Town's liquor licensing provisions align with current Wyoming Title 12.

Background

During the current liquor license renewal and transfer process, staff identified that the Town's ordinance establishes a \$250 fee for transfers of ownership or location. W.S. 12-4-601 limits the additional transfer fee to no more than \$100. The \$250 fee appears in Section 10(a), Section 10(b), and the fee schedule in Section 11(a), so each reference should be corrected.

Section 11(a) also establishes the Town's annual license and permit fees. These fees apply to both initial applications and renewals, except that first-time license fees may be prorated. The Town's current fees and the ranges permitted by Wyoming law are:

- Retail Liquor License: Town fee of \$1,000; state-authorized range of \$300 to \$1,500.
 - Restaurant Liquor License: Town fee of \$750; state-authorized range of \$500 to \$3,000.
 - Resort Liquor License: Town fee of \$500; state-authorized range of \$500 to \$3,000.
 - Bar and Grill Liquor License: Town fee of \$1,500; state-authorized range of \$1,500 to \$10,500.
 - Malt Beverage Permit: Town fee of \$500; state-authorized range of \$100 to \$1,500.
 - Microbrewery Permit: Town fee of \$500; state-authorized range of \$300 to \$500.
 - Winery Permit: Town fee of \$500; state-authorized range of \$300 to \$500.
 - Twenty-Four-Hour Malt Beverage Permit: Town fee of \$25; state-authorized range of \$10 to \$50 per 24-hour period.
 - Catering Permit: Town fee of \$25; state-authorized range of \$10 to \$50 per 24-hour period.
- Although the Town's current annual renewal fees fall within the ranges authorized by state law, the ordinance should be reviewed to ensure each fee provision reflects current license classifications and procedures. State law also provides that when a microbrewery or winery permit is held together with an eligible liquor license, no additional microbrewery or winery permit fee may be assessed.

After identifying the transfer-fee issue, staff compared additional portions of Ordinance No. 2021-05 with the current version of Wyoming Title 12. The review identified other provisions that may be outdated or inconsistent with current state law, including the following:

- Section 5 states that no person or entity may receive more than one liquor license in the Town. Current Title 12 authorizes certain dual-license arrangements, including a microbrewery permit held with a restaurant liquor license. Melvin Brewing currently holds both license types.
- Section 3 contains outdated definitions and renewal standards. The ordinance defines a malt beverage as containing more than 1% alcohol by volume, while current W.S. 12-1-101(a)(x) defines a malt beverage as containing at least 0.5% alcohol by volume. Section 3(h) also determines whether a license or permit is operational based on minimum annual alcohol purchases of \$500, or \$2,000 for a retail liquor license. Current W.S. 12-4-103(a)(iv) instead requires a licensed business to become operational within one year after issuance or transfer and remain operational thereafter, subject to provisions for seasonal operations and extensions for good cause. These provisions should be updated to match current state law.
- Application, fee, publication, renewal, delivery, suspension, and revocation provisions should be reviewed to reflect current Title 12 procedures, including the requirement to post application notices on the Town's official website.

Alternatives

Option A- Direct staff and the Town Attorney to prepare a comprehensive repeal and replacement of Ordinance No. 2021-05. Staff recommends this option.

Option C- Take no action at this time.

Fiscal Impact

The primary fiscal impact would be staff time associated with reviewing and preparing the updated ordinance.

- Reducing the transfer fee from \$250 to the statutory maximum of \$100 would decrease Town revenue by \$150 for each transfer application.
 - The Town currently charges \$25 for each 24-Hour Malt Beverage Permit and Catering Permit. Wyoming law allows a fee between \$10 and \$50 per 24-hour period. Increasing these fees to \$50 would generate an additional \$25 for each permit issued.
 - Council may also consider increasing the Town's annual liquor license and permit fees within the ranges allowed by Wyoming law. Any increases would generate additional Town revenue, with the total fiscal impact depending on the amounts established and the number and types of licenses renewed each year.
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Strategic or Community Impact

Updating the ordinance would provide clearer direction to applicants, licensees, staff, and Council and would help the Town administer liquor licenses consistently with state law. Completing the review during the annual licensing cycle would also address issues identified through the Town's current application, transfer, and renewal processes.

Key Questions

Council should consider the desired scope of the ordinance update and whether any local fee or policy changes should be included.

1. Does Council want to pursue a comprehensive repeal and replacement of Ordinance No. 2021-05 or a limited amendment addressing only the identified conflicts?
 2. Should the 24-Hour Malt Beverage Permit fee increase from \$25 to the statutory maximum of \$50?
 3. Should the Catering Permit fee increase from \$25 to the statutory maximum of \$50?
 4. Does Council want to review and potentially increase any of the Town's annual liquor license and permit fees within the ranges allowed by Wyoming law?
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Suggested Motion

I move to direct staff to work with the Town Attorney to prepare a comprehensive repeal and replacement of Ordinance No. 2021-05 to align the Town's liquor licensing regulations with current Wyoming Title 12, including correction of the transfer fee and review of the Town's license and permit fee schedule.