



## City of Ketchum

October 7, 2019

Mayor Bradshaw and City Councilors  
City of Ketchum  
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

### Consideration of Alcohol Beverage License

#### Recommendation and Summary

Staff is recommending council consideration of approval of an alcohol license using one of the following motions:

*Alternative 1: "I move to approve the alcohol license with the conditions set forth in the staff report."*

*Alternative 2: "I move to approve the alcohol license with conditions consistent with the Council approved conditions of Vendor License Permit #19-101"*

The reasons for the recommendation are as follows:

- Ketchum Municipal Code Requires certain licenses to sell liquor, beer or wine.
- The application is for the year 2019-20, expiring July 31, 2020, and Council approval is required to complete the process of issuing the beer and wine license.

#### Introduction and History

In accordance with Municipal Code 5.04.020, Alcoholic Beverage Sales, it is unlawful for any person to sell liquor, beer, or wine at retail or by the drink within the City without certain licenses as required pursuant to Ordinance 367. All City licenses for liquor, beer, and wine expire annually and require renewal by August 1<sup>st</sup>.

#### Analysis

The City has received an application from a new business for a license to sell beer and wine for both on and off-premise consumption as an off-site vendor. The applicant, Alpenglow, will be doing business in the City on a privately-owned lot (The POD, on Main Street) utilizing an off-site vendor permit. The off-site vendor permit application has previously been presented to Council.

The applicant has additionally filed for the beer and wine license and Council approval is requested to complete the process of issuing such a license. Pursuant to Ketchum Municipal Code section 5.04.060, "the council shall also have the power to impose reasonable conditions upon the operation of the business for which the license(s) is sought in order to minimize the adverse impact on public health, safety or welfare."

In order to align the vending permit conditions related to alcohol service with the alcohol license permit, staff is recommending both permits contain the same conditions for alcohol sales and service. Therefore, as presented, the alcohol permit contains the same conditions as the vending permit. Should the Council modify the vending conditions, the alcohol conditions should reflect the modifications.

<u>Company</u>	<u>Beer Consumed on Premises</u>	<u>Beer Not to be Consumed on Premises</u>	<u>Wine Consumed on Premises</u>	<u>Wine Not to be Consumed on Premises</u>	<u>Liquor</u>	<u>Approved by Council for 2019-20</u>	<u>Total Amount of Fees</u>
Alpenglow	X	X	X	X		10/7/2019	595.82

Conditions of Approval:

1. This Licensee shall comply with all State and local liquor law requirement which among other provisions of city and state code, includes the following:
  - a. Prohibition of alcohol sales to minors;
  - b. Open container restrictions (e.g. bees poured or opened on-premises may not be consumed off-site or on public sidewalks)
  
2. Beer and wine sales by Alpenglow shall occur only when the food trucks in vending license sites 1, 3, 5, and 6 of the POD are open for business. Further, the consumption of alcohol on the POD site shall cease within 30 minutes of the last food truck closing on license sites 1, 3, 5, and 6 of the POD and, in no instance, later than 2:30AM.

Financial Impact

The City of Ketchum will realize revenue of approximately \$595.82 from approval of the license in accordance with the current fee structure. Approval may also result in additional local option tax revenue.

Attachment A: Alcohol application



City of Ketchum

Beer, Wine & Liquor-by-the Drink License Application

Submit completed application and fees below to the City Clerk Office, PO Box 2315, 480 East Ave. N., Ketchum, ID 83340. If you have questions, please contact Business License & Tax Specialist, Kathleen Schwartzenberger at [taxes@ketchumidaho.org](mailto:taxes@ketchumidaho.org) or (208) 726-3841.

APPLICANT INFORMATION		
Applicant Name: <u>alpenglow LLC</u>	Doing Business As: <u>alpenglow</u>	
Physical Address where license will be displayed: <u>271 N. Main ST KETCHUM, ID 83340</u>		
Mailing Address: <u>4231 N. HARDTAIL Lane GARDEN CITY, ID 83714</u>		
Recorded Owner of Property: <u>GEORGE KIRK</u>		
Applicant Phone Number: <u>718-913-6441</u>	Applicant Email: <u>melissa.levick@gmail.com</u>	
STATE LICENSE NO: _____ (copy required)	COUNTY LICENSE NO: _____ (copy required)	
Corporation: <input checked="" type="checkbox"/>	List names and addresses of corporation officers and/or partners: <u>MELISSA LEVICK</u> <u>4231 N. HARDTAIL Lane</u> <u>GARDEN CITY, ID 83714</u>	
Partnership: <input type="checkbox"/>		
Individual: <input type="checkbox"/>		
If Applicant is a Partnership or Corporation, is the corporation authorized to do business in Idaho? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
BEER LICENSE FEES		
<input checked="" type="checkbox"/>	Draft or Bottled or Canned Beer to be consumed on premises	\$200.00 <u>183.33</u>
<input checked="" type="checkbox"/>	Bottled or Canned Beer NOT to be consumed on premises	\$ 50.00 <u>45.83</u>
WINE LICENSE FEES		
<input checked="" type="checkbox"/>	Wine, to be consumed on premises	\$200.00 <u>183.33</u>
<input checked="" type="checkbox"/>	Wine, NOT to be consumed on premises	\$200.00 <u>183.33</u>
LIQUOR LICENSE FEES		
	Liquor by the Drink, Note; Liquor License Fee includes Wine	\$560.00
Total Fees Due		\$ <del>650.00</del> <u>595.82</u>
ADDITIONAL INFORMATION		
Has the applicant, any partners of the applicant, any member of the applying partnership, the active manager of the applying partnership or any officer of the applying corporation been convicted of a violation of any law of the State of Idaho, or any other state, or of the United States regulating, governing, or prohibiting the sale of alcoholic beverages or intoxication liquor, and has any one of them within the last three years forfeited or suffered the forfeiture of a bond for his/her appearance to answer charges of any such violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Has the applicant or any partner or actual active manager or officer of the applicant been convicted of any felony within the last five years? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, its officers and employees from all liability claims, suits and costs arising from incidents or accidents occurring under this permit. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

The undersigned hereby acknowledges and consents that the License(s) requested are subject to the provisions of the Ketchum Municipal Code, Title 5, Chapter 5.04 (amended by Ordinance 882), City of Ketchum, Idaho, Blaine County.

Melissa Levick owner  
 Applicant Signature Relation to Business

8/22/19  
 Date

Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Kathleen Schweitzer  
 Notary Public or City Clerk or Deputy

OFFICIAL USE ONLY		
Date Received: <u>9</u> . <u>19</u>	License Fee Paid: <u>\$ 595.82</u>	License No: <u>2369</u>
<p>To the City Council, Ketchum, Idaho;            The undersigned, a Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/>, does hereby make application for a license to sell during the year of <del>August 1, 2019</del> - July 31, <u>2020</u>  <u>Sept</u></p> <p>Approved by City of Ketchum Idaho by;</p> <p>_____</p> <p>Mayor</p>		

9-16-19