



November 22, 2023

Patrick Holscher
Schwartz, Bon, Walker & Studer, LLC
141 South Center Street, Suite 500
Casper, WY 82601
pat@schwartzbon.com

Dear Mr. Holscher,

I am not available to attend the 2nd reading of the proposed liquor ordinances at the Mills City Council Meeting on November 28, 2023. I request that this letter be sent to the city council members and be made part of the record during any public comment on the proposed ordinances.

Wyoming Downs has concerns regarding the proposed City Ordinance 5.08.200. The proposed ordinance states, “[v]iolations of the Mills Municipal Code and/or Wyoming State Statutes may also be factors in the consideration of suspensions, revocations, nonrenewals or conditional renewals of licenses and permits.” The proposed ordinance is very vague as to what actions on behalf of the liquor license holder will cause the City to issue a fine. The Wyoming Statutes include 42 Titles and are extremely voluminous. We request that the city reconsider this language to be more specific as to what actions by a liquor license holder could result in fines.

Additionally, the ordinance further states, “[i]n recognition of the fact that license holders who repeatedly violate the provisions of this code create an undue burden on the city in administering liquor licenses. In addition to any other penalties or remedies licensees shall be subject to administrative fees of one thousand dollars for the third violation of this chapter within any consecutive twenty-four-month period, and five thousand dollars for a fourth or subsequent violation within a consecutive twenty-four-month period.” Wyoming Downs encourages the council review the language of this section. This section calls the monetary payment by the liquor license holder an “administrative fee,” but in reality, this is an additional fine for repeat violations.

Finally, the last paragraph of the proposed ordinance discusses the notice and appeal for the “fee.” Wyoming Downs requests that the council strongly reconsider the language stating that the appeal hearing is “at the council’s sole discretion” to allow for proper due process.

Wyoming Downs does not object to the proposed resolution 5.08.190 as this ordinance clearly sets the standard for how the liquor license holder must act to comply with the laws. We encourage the City of Mills to modify proposed Ordinance 5.08.200. Please feel free to contact me with any questions.

Sincerely,



Traci L. Lacock
Wyoming Downs, General Counsel