

**RESOLUTION NO. 2022-16**

**A RESOLUTION REGARDING INTERPRETATION AND ENFORCMENT OF LIQUOR ORDINANCES IN LIGHT OF AMENDMENTS TO STATE STATUTES**

**WHEREAS**, during recent sessions of the Legislature Wyoming's statutory provisions concerning alcohol have been amended; and

**WHEREAS**, included in those amendments are provisions were amendments to the statutes at Wyo. Stat Sec. 12-5-601, providing in relevant part, the following:

**12-5-601. Delivery of alcoholic liquors and malt beverages.**

(a) Retail liquor licensees, microbrewery permit holders, winery permit holders, winery satellite permit holders and manufacturer licensees with a satellite location may deliver or contract to have delivered alcoholic liquors and malt beverages to customers provided:

(i) All sales of alcoholic liquors and malt beverages under this subsection shall take place in the licensed building. Orders of alcoholic liquors and malt beverages may be placed by phone, online or through a mobile application. All deliveries under this subsection shall be completed during the licensee's remaining operating hours on the same day the alcoholic liquors or malt beverages are removed from the inventory of the licensed premise;

(ii) No order shall be received nor shall any delivery be made to or by a person under the age of twenty-one (21) years. All deliveries shall require the purchaser to provide to the deliverer a valid government issued identification demonstrating the purchaser is twenty-one (21) years of age or older;

(iii) All package sales and deliveries of alcoholic liquors and malt beverages for off-premises consumption shall be sealed. For purposes of this paragraph, "sealed" means a product enclosed:

(A) In its original package and unopened;

(B) In a plastic bag and heat sealed closed;  
or

(C) In a container that has a breakable seal incorporated in the container cap.

(iv) Any contract delivery service shall adhere to the requirements of this subsection when delivering alcoholic liquors and malt beverages; and

(v) Microbrewery permit holders, winery permit holders, winery satellite permit holders and manufacturer licensees with a satellite location shall only deliver or contract to have delivered their respective manufactured products.

**WHEREAS**, the City of Mills is desirous of keeping the interpretation of its liquor ordinances contemporary and, further, has reviewed the amended statutes and does not wish to restrict or appear to restrict liquor license holders in the City of Mills who are qualified under state law from delivering alcohol under Wyo. Stat Sec Sec 12-5-601 from doing so; and

**WHEREAS**, a review of the City of Mills Code provides that delivery of alcoholic beverages where allowed by state law is not prohibited by the Municipal Ordinances and is expressly allowed for.

**NOW, THEREFORE**, the Council expressly notes that there are no restrictions in the City of Mills on the delivery of alcohol where otherwise permitted by state statute and it is not the intent or the policy of the City of Mills to restrict the same where it is allowed for by law.

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ day of April, 2022.

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Mayor, Seth Coleman

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Councilman, Sara McCarthy

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Councilman, Darla R. Ives

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Councilman, James Hollander

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Councilman, Brad Neumiller

ATTEST:

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City Clerk, Christine Trumbull

CERTIFICATE

I, Christine Trumbull, City Clerk, hereby certify that the foregoing Resolution was adopted by the City of Mills at a public meeting held on April 12, 2022, and that the meeting was held accordingly to law; and that said Resolution has been duly entered in the record of the City of Mills.

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City Clerk, Christine Trumbull