

ORDINANCE NO. 800

**AN ORDINANCE AMENDING SECTION 5.08.040 OF
TITLE 5
BUSINESS LICENSES AND REGULATIONS**

WHEREAS, The City of Mills, Wyoming, has set limitations for the serving of alcohol as follows:

5.08.040 Hours of sale.

Except as otherwise restricted by Section 5.04.120, all persons licensed under this chapter shall close the licensed building and cease the sale of both alcoholic liquors and malt beverages promptly at the hour of two a.m. each day, and shall clear the licensed building of all persons other than employees by two-thirty a.m., and shall keep the same closed until six a.m. each day; except, that on Sundays not occurring on December 31, such places may only open the licensed building between the hours of nine a.m. and twelve midnight a.m., and shall clear the licensed building of all persons other than employees by ten-thirty p.m. Holders of restaurant liquor licenses shall operate the dispensing area(s) with the foregoing hours of operation, and additionally shall cease all sales of alcoholic liquors and malt beverages at the time food sales and services cease. Clubs holding special club licenses are exempt from all provisions concerning hours of operation.

And’;

WHEREAS, The hours set in 5.08.040 are different from those which are set in areas bordering Mills for Sunday mornings, putting establishments within Mills and an unfair economic disadvantage; and

WHEREAS, The Governing body of the City of Mills has examined the hours of operation and is of the view that making the hours uniform for each day of the week will not disturb the public peace; and

WHEREAS, The Governing body of the City of Mills has also determined that retaining some flexibility to set special hours, where allowed for at law, would serve the community interests.

NOW THEREFORE, The City Council of the City of Mills hereby amends its existing Title 5 such the above referenced section shall read as follows, with strikes and amendments noted in red:

5.08.040 Hours of sale.

Except as otherwise restricted by Section 5.04.120, all persons licensed under this chapter shall close the licensed building and cease the sale of both alcoholic liquors and malt beverages promptly at the hour of two a.m. each day, and shall clear the

licensed building of all persons other than employees by two-thirty a.m., and shall keep the same closed until six a.m. each day; ~~except, that on Sundays not occurring on December 31,~~ such places may only open the licensed building between the hours of nine a.m. and twelve midnight a.m., and shall clear the licensed building of all persons other than employees by ten-thirty p.m. Holders of restaurant liquor licenses shall operate the dispensing area(s) with the foregoing hours of operation, and additionally shall cease all sales of alcoholic liquors and malt beverages at the time food sales and services cease. Clubs holding special club licenses are exempt from all provisions concerning hours of operation.

The City Council shall retain the right and ability to modify hours of operation under this section by Resolution, both for individual events, and in general, as it determines to be appropriate, as long as such hours are otherwise authorized by the laws of the State of Wyoming.

This ordinance shall be in full force and effect upon passage on three readings and publication.

PASSED on 1st reading the ____ day of _____, 2023.

PASSED on 2nd reading the ____ day of _____, 2023.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this ____ day of _____, 2023

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Tim Sullivan, Council

Cherie Butcher Council

Brad Neumiller, Council

ATTESTED:

Christine Trumbull, City Clerk