

**TOWN OF RANCHESTER  
ORDINANCE 289**

**NOW THEREFORE**, be it ordained by the Council of the Town of Rancheater, in the State of Wyoming, as follows:

**SECTION 1:****AMENDMENT** “8-5-100 Definitions - Regulation Of Alcoholic Beverages” of the Rancheater Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

8-5-100 Definitions - Regulation Of Alcoholic Beverages

As uses in this Ordinance, the following definitions shall apply:

- (a) "Alcoholic liquor" means any spirituous or fermented fluid, substance or compound other than malt beverage intended for beverage purposes which contains at least one-half of one percent (.5%) of alcohol by volume.
- (b) "Intoxicating liquor," "alcoholic liquor," "alcoholic beverage" and "spirituous liquor" are construed as synonymous in meaning and definition.
- (c) "Licensee" means a person holding a:
  - (1) Retail liquor license;
  - (2) Malt beverage permit;
  - (3) Catering license; or
  - (4) Restaurant liquor license.
  - (5) Bar and Grill Liquor License
- (d) "Malt beverage" means any fluid, substance or compound intended for beverage purposes manufactured from malt, wholly or in part, or from any substitute therefor, containing at least one-half of one percent (.5%) of alcohol by volume.
- (e) “Malt beverage permit” is the authority under which the licensee is permitted to sell malt beverages only.
- (f) "Person" includes an individual person, partnership, corporation, limited liability company or association.
- (g) "Restaurant" means space in a building maintained, advertised and held out to the public as a place where individually priced meals are prepared and served primarily for on-premise consumption and where the primary source of revenue from the operation is from the sale of food and not from the sale of alcoholic or malt beverages. The building shall have a dining room or rooms, a kitchen and the number and kinds of employees necessary for the preparing, cooking and serving of meals in order to satisfy the licensing authority that the space is intended for use as a full-service restaurant. "Full service restaurant" means a restaurant at which waiters or waitresses deliver food and drink offered from a printed food menu to patrons at tables or booths. The service of only fry orders or such food and victuals as sandwiches, hamburgers or

salads shall not be deemed a restaurant for the purposes of this section. A retail liquor license is the authority under which a licensee is permitted to sell alcoholic liquor or malt beverages for use or consumption but not for resale.

- (h) "Retail liquor license" is the authority under which a licensee is permitted to sell alcoholic liquor or malt beverages for use or consumption but not for resale.
- (i) "Sell" or "sale" includes offering for sale, trafficking in, bartering, delivering or dispensing and pouring for value, exchanging for goods, services or patronage or an exchange in any way other than purely gratuitously. Every delivery of any alcoholic liquor or malt beverage made otherwise than by gift constitutes a sale. (Ord. 199 § 2, 1999; Ord. 5, 1911)

## AFTER AMENDMENT

### 8-5-100 Definitions - Regulation Of Alcoholic Beverages

As uses in this Ordinance, the following definitions shall apply:

- (a) "Alcoholic liquor" means any spirituous or fermented fluid, substance or compound other than malt beverage intended for beverage purposes which contains at least one-half of one percent (.5%) of alcohol by volume.
- (b) "Intoxicating liquor," "alcoholic liquor," "alcoholic beverage" and "spirituous liquor" are construed as synonymous in meaning and definition.
- (c) "Licensee" means a person holding a:
  - (1) Retail liquor license;
  - (2) Malt beverage permit;
  - (3) Catering license; ~~or~~
  - (4) Restaurant liquor license; ~~;~~
  - (5) Bar and Grill ~~L~~iquor ~~L~~icense;
  - (6) Microbrewery permit;
  - (7) Winery permit; or
  - (8) Satellite winery permit.
- (d) "Malt beverage" means any fluid, substance or compound intended for beverage purposes manufactured from malt, wholly or in part, or from any substitute therefor, containing at least one-half of one percent (.5%) of alcohol by volume.
- (e) "Malt beverage permit" is the authority under which the licensee is permitted to sell malt beverages only.
- (f) "Person" includes an individual person, partnership, corporation, limited liability company, ~~club,~~ ~~or~~ association, or other entity, public or private.
- (g) "Microbrewery" means a commercial enterprise at a single location producing malt beverage in quantities not to exceed fifty thousand (50,000) barrels per year and no less than (50) barrels per year.
- (h) "Microbrewery permit" is the authority under which the licensee is permitted to brew a malt beverage and dispense the brewed malt beverage for on-premises and limited off-premises personal consumption.
- (i) "Restaurant" means space in a building maintained, advertised, and held out to the public as a place where individually priced meals are prepared and served primarily for

on-premise consumption and where the primary source of revenue from the operation is from the sale of food and not from the sale of alcoholic ~~liquor, or~~ malt beverages, ~~or~~ wine. The building shall have a dining room or rooms, a kitchen and the number and kinds of employees necessary for the preparing, cooking, and serving of meals in order to satisfy the licensing authority that the space is intended for use as a full-service restaurant.

- (j) "Full service restaurant" means a restaurant at which waiters or waitresses deliver food and drink offered from a printed food menu to patrons at tables or booths. The service of only fry orders or such food and victuals as sandwiches, hamburgers, or salads shall not be deemed a restaurant for the purposes of this Chapter section. ~~A retail liquor license is the authority under which a licensee is permitted to sell alcoholic liquor or malt beverages for use or consumption but not for resale.~~
- (k) "Retail liquor license" is the authority under which a licensee is permitted to sell alcoholic liquor, ~~or~~ malt beverages, ~~or~~ wine for use or consumption but not for resale.
- (l) "Satellite winery permit" is the authority under which the licensee is permitted to sell its manufactured wine at up to three (3) satellite locations within Wyoming, separate from its licensed manufacturing site.
- (m) "Sell" or "sale" includes offering for sale, trafficking in, bartering, delivering, or dispensing, and pouring for value, exchanging for goods, services, or patronage or an exchange in any way other than purely gratuitously. Every delivery of any alcoholic liquor, ~~or~~ malt beverage, ~~or~~ wine made otherwise than by gift constitutes a sale. (Ord. 199 § 2, 1999; Ord. 5, 191~~4~~)
- (n) "Winery" means a commercial enterprise manufacturing wine at a single location in Wyoming.
- (o) "Winery permit" is the authority under which the licensee is permitted to manufacture wine and dispense the manufactured wine for on-premises and limited off-premises personal consumption.

**SECTION 2:            AMENDMENT** "8-5-110 License Required; Exceptions" of the Ranchester Municipal Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 8-5-110 License Required; Exceptions

It is unlawful for any person or persons in the town to vend, sell, barter or dispose of for pecuniary benefit or advantage, either directly or indirectly, in person or by agent or employee, at retail, any alcoholic liquor or malt beverage without first having obtained a license; provided, however, that this Chapter does not apply to drugstores selling liquors under special permit issued by the Wyoming Liquor Commission for the purpose of filling bona fide prescriptions written by duly licensed physicians and dentists. (Ord. 199 § 3, 1999; Ord. 5, 1911)

AFTER AMENDMENT

8-5-110 License Or Permit Required; Exceptions

It is unlawful for any person or persons in the ~~T~~town to vend, sell, barter, or dispose of for pecuniary benefit or advantage, either directly or indirectly, in person or by agent or employee, at retail, or to give away to the public as an inducement to the public to patronize any business place or person within the corporate limits and boundaries of the Town, any alcoholic liquor, malt beverage, or wine, without first having obtained a license or permit to do so and paying the fees therefor provided in this Chapter ~~any alcoholic liquor or malt beverage without first having obtained a license~~; provided, however, that this Chapter does not apply to drugstores selling liquors under special permit issued by the Wyoming Liquor Commission for the purpose of filling bona fide prescriptions written by duly licensed physicians and dentists. (Ord. 199 § 3, 1999; Ord. 5, 1911)

**SECTION 3:**AMENDMENT “8-5-120 Application For License” of the Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-120 Application For License

Any person or persons desiring the issuance, renewal, or transfer of a license or permit to vend, sell, barter, or dispose of, for any purpose or in any way, at retail, any alcoholic liquor or malt beverage, shall before vending, selling, bartering, or disposing of such make written application for the license or permit to the mayor and town council upon forms and in the manner provided by the laws of the State of Wyoming, and shall pay a license or permit fee in the amount set forth in this Chapter. The town council is authorized to not issue, renew, or transfer any license or permit if the licensee has any outstanding bill or obligation owed to the Town. (Ord. 278, 2017; Ord. 199 § 4, 1999; Ord. 5, 1911)

AFTER AMENDMENT

8-5-120 Application For License Or Permit

Any person or persons desiring the issuance, renewal, or transfer of a license or permit to vend, sell, barter, or dispose of, for any purpose or in any way, at retail, any alcoholic liquor, ~~or~~ malt beverage, or wine, shall before vending, selling, bartering, or disposing of such make written application for the license or permit to the ~~m~~Mayor and ~~t~~Town ~~e~~Council upon forms and in the manner provided by the laws of the State of Wyoming, and shall pay a license or permit fee in the amount set forth in this Chapter. The ~~t~~Town ~~e~~Council is authorized to not issue, renew, or transfer any license or permit if the licensee has any outstanding bill or obligation owed to the Town. (Ord. 278, 2017; Ord. 199 § 4, 1999; Ord. 5, 1911)

**SECTION 4:**        **AMENDMENT** “8-5-130 Public Notice Of Application” of the  
Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-130 Public Notice Of Application

When an application for a license, permit, renewal or any transfer of location or ownership thereof has been filed with the Town, the clerk shall promptly prepare a notice of application, place the notice conspicuously upon the premises shown by the application as the proposed place of sale and publish the notice in a newspaper of local circulation once a week for four consecutive weeks. The notice shall state that a named applicant has applied for a license, permit, renewal or transfer thereof, and that protests against the issuance, renewal or transfer of the license or permit will be heard at a designated meeting of the Town Council. Each applicant shall, at the time of filing the application, pay the clerk an amount sufficient to cover the costs of publishing notice. (Ord. 199 § 5, 1999; Ord. 5, 1911)

AFTER AMENDMENT

8-5-130 Public Notice Of Application

When an application for a license, permit, renewal, or any transfer of location or ownership thereof has been filed with the Town, the Town Clerk shall promptly prepare a notice of application, ~~place the notice conspicuously upon the premises shown by the application as the proposed place of sale~~ and publish the notice in a newspaper of local circulation once a week for ~~four~~ two consecutive weeks. The Town Clerk will post notice on the official Town website. The notice shall state that a named applicant has applied for a license, permit, renewal, or transfer thereof, and that protests against the issuance, renewal, or transfer of the license or permit will be heard at a designated meeting of the Town Council. Each applicant shall, at the time of filing the application, pay the Town Clerk an amount sufficient to cover the costs of publishing notice. (Ord. 199 § 5, 1999; Ord. 5, 1911)

**SECTION 5:**        **AMENDMENT** “8-5-140 Retail Liquor License Fee” of the  
Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-140 Retail Liquor License Fee (Non-existent)

AFTER AMENDMENT

8-5-140 Retail Liquor License Fee

**SECTION 6:            AMENDMENT** “8-5-145 Hours Of Operation” of the  
Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-145 Hours Of Operation

- (a) Licensees may begin alcoholic or malt beverage sales in the licensed building at 6:00 A.M. and shall close and cease the sale of both alcoholic and malt beverages promptly at the hour of 2:00 A.M. the following day. Licensees shall clear the licensed building of all persons other than employees by 2:30 A.M.
- (b) Hours of operation may be modified on no more than four (4) days each calendar year by a resolution or agreement made each year by the Town designating those dates on which all licensees may operate their dispensing rooms for a period of twenty-four (24) hours beginning at 6:00 A.M. (Ord. 278, 2017)

AFTER AMENDMENT

8-5-145 Hours Of Operation

- (a) Licensees may begin alcoholic liquor, ~~or~~ malt beverage, or wine sales in the licensed building at 6:00 A.M. and shall close and cease the sale of both alcoholic liquor ~~and~~ malt beverages, and wine promptly at the hour of 2:00 A.M. the following day. Licensees shall clear the licensed building of all persons other than employees by 2:30 A.M.
- (b) Hours of operation may be modified on no more than four (4) days each calendar year by a resolution or agreement made each year by the Town designating those dates on which all licensees may operate their dispensing rooms for a period of twenty-four (24) hours beginning at 6:00 A.M. (Ord. 278, 2017)

**SECTION 7:            AMENDMENT** “8-5-170 Malt Beverage Permit” of the  
Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-170 Malt Beverage Permit

A malt beverage permit authorizing the sale of malt beverages only may be issued by the Town Council to any responsible person or organization for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering. No person or organization holding the special permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit. (Ord. 199 § 9, 1999; Ord. 5, 1911)

#### AFTER AMENDMENT

##### 8-5-170 Malt Beverage Permit

A malt beverage permit authorizing the sale of malt beverages only may be issued by the Town Council to any responsible person(s) ~~or organization~~ for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering. No person ~~or organization~~ holding the special permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit. (Ord. 199 § 9, 1999; Ord. 5, 1911)

**SECTION 8:**            **AMENDMENT** “8-5-180 Catering Permit” of the Ranchester Municipal Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 8-5-180 Catering Permit

A catering permit authorizing the sale of alcoholic and malt beverages may be issued by the Town Council to any person holding a retail liquor license authorizing the off-premises sale of both alcoholic and malt beverages, for sales at meetings, conventions, private parties and dinners or at other similar gatherings not capable of being held within the licensee's licensed premises. No licensee holding a catering permit shall sell or permit consumption of any alcoholic or malt beverage off the premises described in the permit. Notwithstanding any other provision of this Section, closed-container items sold at auction for the benefit of a nonprofit organization may be taken off-premises. (Ord. 199 § 10, 1999)

#### AFTER AMENDMENT

##### 8-5-180 Catering Permit

A catering permit authorizing the sale of alcoholic liquor, ~~and~~ malt beverages, or wine may be issued by the Town Council to any person(s) holding a retail liquor license authorizing the off-premises sale of both alcoholic liquor, ~~and~~ malt beverages, or wine, for sales at meetings, conventions, private parties and dinners or at other similar gatherings not capable of being held within the licensee's licensed premises. No licensee holding a catering permit shall sell or permit consumption of any alcoholic liquor, ~~or~~ malt beverage, or wine off the premises described in the permit. Notwithstanding any other provision of this Section, closed-container items sold at auction for the benefit of a nonprofit organization may be taken off-premises. (Ord. 199 § 10, 1999)

**SECTION 9:**            AMENDMENT “8-5-190 Permit Limitations” of the Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-190 Permit Limitations

The permits authorized by Sections 8-5-170 and 8-5-180 shall be issued for one 24-hour period, subject to the schedule of operating hours provided by Wyoming Statutes. No person or organization shall receive more than a total of six malt beverage and catering permits for sales at the same premises in any one-year, except that this limitation shall not be applicable to malt beverage permits issued for sales at any fair, rodeo, pari-mutuel event or other similar public event conducted by a public entity upon public premises. (Ord. 199 § 11, 1999)

AFTER AMENDMENT

8-5-190 Permit Limitations

The permits authorized by Sections 8-5-170 and 8-5-180 shall be issued for one 24-hour period, subject to the schedule of operating hours provided by Wyoming Statutes. No person ~~or organization~~ shall receive more than a total of six malt beverage and catering permits for sales at the same premises in any one-year, except that this limitation shall not be applicable to malt beverage permits issued for sales at any fair, rodeo, pari-mutuel event or other similar public event conducted by a public entity upon public premises. (Ord. 199 § 11, 1999)

**SECTION 10:**            AMENDMENT “8-5-150 Restaurant And Bar And Grill Liquor License” of the Ranchester Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

8-5-150 Restaurant And Bar And Grill Liquor License



- (a) Restaurants as defined by Section 8-5-100 of this Chapter may be licensed by the Town under a restaurant liquor license. In addition to the application requirements required by Wyoming Statutes, the license applicant shall submit a valid food service permit upon application.
- (b) Restaurants as defined by Section 8-5-100 of this Chapter may be licensed by the Town under a bar and grill liquor license. In addition to the application requirements required by Wyoming Statutes, the license applicant shall submit a valid food service permit upon application.
- (c) Bar and grill liquor licenses are subject to the provisions of Wyoming Statutes §§ 12-4-408 and 12-4-410(c) to the same extent those provisions are applicable to restaurant liquor licenses. Bar and grill liquor licenses shall not sell alcoholic or malt beverages for consumption off the premises owned or leased by the licensee except as allowed under Wyoming Statutes § 12-4-410(e). (Ord. 274, 2016; Ord. 199 § 7, 1999)

#### AFTER AMENDMENT

#### 8-5-150 Restaurant And Bar And Grill Liquor License

- (a) Restaurants as defined by Section 8-5-100 of this Chapter may be licensed by the Town under a restaurant liquor license. In addition to the application requirements required by Wyoming Statutes, the license applicant shall submit a valid food service permit upon application.
- (b) Restaurants as defined by Section 8-5-100 of this Chapter may be licensed by the Town under a bar and grill liquor license. In addition to the application requirements required by Wyoming Statutes, the license applicant shall submit a valid food service permit upon application.
- (c) Bar and grill liquor licenses are subject to the provisions of Wyoming Statutes §§ 12-4-408 and 12-4-410(c) to the same extent those provisions are applicable to restaurant liquor licenses. Bar and grill liquor licenses shall not sell alcoholic liquor, ~~or~~ malt beverages, or wine for consumption off the premises owned or leased by the licensee except as allowed under Wyoming Statutes § 12-4-410(e). (Ord. 274, 2016; Ord. 199 § 7, 1999)

PASSED AND ADOPTED BY THE TOWN OF RANCHESTER COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jeffrey Barron	_____	_____	_____	_____
Jessica Weaver	_____	_____	_____	_____
Randy Sundquist	_____	_____	_____	_____
Tracey Deromedi	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Peter Clark, Clerk-Treasurer, Town of  
Ranchester

\_\_\_\_\_  
Barbara Brackeen-Kepley, Clerk-  
Treasurer Town of Ranchester