

RESOLUTION NO. 2024-08

A RESOLUTION ADOPTING GENERAL GUIDELINES FOR USE BY MEMBERS OF THE GOVERNING BODY IN REVIEWING APPLICATIONS RECEIVED FOR AN AVAILABLE RETAIL LIQUOR LICENSE WITHIN THE CITY OF DOUGLAS, WYOMING

WHEREAS, pursuant to Wyoming State Statute §12-4-101, the number of retail liquor licenses available to local licensing authorities is based upon population figures; and

WHEREAS, based on the official ten-year federal census conducted in 2020 the City of Douglas has a total of fourteen (14) retail liquor licenses available for issuance, as certified by the Wyoming Liquor Division; and

WHEREAS, due to the relinquishment of one such license, the City of Douglas is now able to consider applications for one (1) retail liquor license available as provided herein; and

WHEREAS, the Governing Body wishes to adopt written general guidelines for assistance in evaluating such applications; and

WHEREAS, the proposed guidelines are attached hereto as Exhibit A to the Resolution and expressly incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DOUGLAS, WYOMING, that the City Clerk is hereby directed to accept applications through May 1, 2024, for consideration by the Governing Body relative to the available license.

PASSED, APPROVED, AND ADOPTED this 8th day April, 2024.

Kim Pexton, Mayor

Attest:

Mary Nicol, City Clerk

EXHIBIT A
LIQUOR LICENSE GENERAL GUIDELINES

For use by the Governing Body of the City of Douglas in reviewing applications for retail liquor licenses available through the City of Douglas:

1. The health, welfare, quality of life, or peaceful enjoyment of the people residing in the vicinity of the proposed premises to be licensed shall not be adversely affected.
2. The purpose of Wyoming Statutes, Title 12, Alcoholic Beverages, shall be carried out by issuance of the license.
3. The number, type, and location of existing licenses may not meet or may exceed the needs for the vicinity under consideration.
4. Other considerations which may be considered include:
 - a. Whether the proposed premises to be licensed serves as an amenity compatible with other neighborhood activities.
 - b. The proposed site meets current zoning requirements.
 - c. Whether a license, if issued, would provide social and economic opportunities benefitting the community.
 - d. The anticipated time frame in which the applicant plans to be operational and open to the public (e.g. plans for new construction or remodeling).
5. Consideration of supporting documents that may be submitted with the application by the applicant, including, but not limited to a:
 - a. Business Plan: For example, information such as the following:
 - i. Whether the license will be used to attract other businesses;
 - ii. If the license would be used as part of the renovation of an historic building or building of community significance;
 - iii. Whether the issuance of the license would create a business anchor for a particular area;
 - iv. Whether the anticipated business hours, customer offerings, and building design, will meet the need of a particular market segment or location through the issuance of the license;
 - v. The possible effects on existing businesses in and out of the area;
 - vi. Any franchise or chain affiliation.
 - b. Financial Plan: For example, information reflecting the applicant's resources to acquire, construct or remodel a building, if applicable, to be used as the licensed premises.
 - i. A financial statement must be submitted with each application;
 - ii. A financial plan, if submitted, would be a more detailed description indicating the applicant's ability to become operational to provide the type(s) of services proposed under the license in a timely manner.

Nothing in these guidelines shall be construed to require the issuance of a retail liquor license by the City of Douglas. Pursuant to Wyoming Statute §12-4-101(a), the Governing Body of the City of Douglas retains sole discretion to issue a retail liquor license and may refuse to issue any license authorized by Wyoming State Statute.

In accordance with Wyoming State Statute §16-4-201 et seq., referred to as the Wyoming Public Records Act, applications and supporting documentation submitted by applicants may be considered a record open to public inspection.