



# TOWN OF JACKSON

## TOWN COUNCIL

### AGENDA DOCUMENTATION

**PREPARATION DATE:** August 14, 2018  
**MEETING DATE:** September 4, 2018

**SUBMITTING DEPARTMENT:** Town Clerk  
**DEPARTMENT DIRECTOR:** Roxanne DeVries Robinson  
**PRESENTER:** Sandy Birdyshaw

**SUBJECT:** Malt Beverage Permit Request – Snake River Brewing Co.

#### PURPOSE STATEMENT

The Town Council, as the local liquor licensing authority, approves the issuance of all malt beverage permits.

#### BACKGROUND/ALTERNATIVES

The Snake River Brewing Company (SRB) applied for two malt beverage permits to allow the service of malt beverages on their lawn at 265 S. Millward Street. They will be holding two community events; an End of Summer Yard Party on September 25 and an Annual Oktoberfest Party on October 2. If approved, these malt beverage permits would be for 11:00 A.M. to 11:00 P.M. on both dates.

Section 12-4-502(a) of Wyoming Statutes provides:

A malt beverage permit authorizing the sale of malt beverages only may be issued by the appropriate licensing authority 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.

The application has been reviewed and approved by the Police Department, subject to the conditions and restrictions listed in the recommendation section below.

In the August 20<sup>th</sup> regular Council meeting, this item was continued so staff could research an 11:00 PM limitation in this area.

The Chief of Police provided noise permits that had been issued for the past three years allowing relief from Jackson Municipal Code 9.44.050 until 11:00 PM. Upon review of the SRB liquor license file, there was reference to a 1994 Conditional Use Permit issued to SRB which allowed outdoor eating in the Core Commercial zone. The CUP was approved with a condition that deck activities would cease at 9:00 PM. This could be the basis of Council's memory on a 9:00 PM cease time.

The Planning Department's review provided further details and history. In July of 1994 the Town Council approved a Conditional Use Permit (CUP P94-50) for SRB to allow outdoor seating (50 seats) on the existing ground level deck adjacent to the current entrance. At that time, the Land Development Regulations (LDRs) required a CUP for outdoor seating. As part of the approval a condition was added limiting outdoor deck activities to no later than 9:00 PM.

Later in 2007, The Town Council approved a Final Intermediate Development Plan (FDP Intermediate P07-144) approving an expansion of the restaurant and a new second story deck for outdoor seating. The report further clarified that an amendment to the original CUP was not required for the new second story deck because the LDRs no longer required a CUP for outdoor seating after the adoption of the 1994 LDRs. Thus the 1994 CUP was no longer applicable.

Finally, in 2016 the Planning Director approved a Basic Use Permit (BUP) to remove the SRB parking and replace it with a landscaping green space. It was clear in the applicant's submittal that "The SRB green space will not have any food or beverage service, nor will alcohol be permitted in this location and appropriate signage and customer education will be provided". In conclusion, based on the past approval Planning does not find that the hours of operation for approved outdoor dining locations are enforceable.

Thus, SRB has applied for two malt beverage permits allowing malt beverage service on their lawn during two community events until 11:00 PM.

#### ALIGNMENT WITH COUNCIL'S STRATEGIC INTENT

The events would support the Town is Heart attracting locals and guests to the perimeter of the downtown area.

#### ATTACHMENTS

Malt Beverage Permit Applications.

#### FISCAL IMPACT

A malt beverage permit fee of \$100.00 per 24-hour period (in this case, \$200.00) will be deposited to the general fund.

#### STAFF IMPACT

Minimal.

#### LEGAL REVIEW

N/A

#### RECOMMENDATION

Staff recommends approval of the requested malt beverage permit, subject to the following conditions and restrictions:

1. The applicant shall take all measures necessary to comply with all applicable alcohol dispensing laws and regulations, including the prevention of sales to minors and the prohibition of consumption off of the authorized premises.
2. Every sale will include an age verification by checking IDs.
3. Beer may only be sold in plastic cups, no more than 16 oz.
4. No more than 2 beers may be sold to any one person in a transaction.
5. There will be no serving of alcohol to obviously intoxicated people.
6. Permit holder shall be responsible to be alert and report any instances of underage drinking to the Jackson Police by calling 733-2331.
7. Beer sales will cease at the end of the event, or at 11:00 p.m., whichever occurs first.

#### SUGGESTED MOTION

I move to approve the issuance of malt beverage permits to Snake River Brewing Co. for their events on September 25 and October 2 from 11:00 A.M. to 11:00 P.M., subject to the conditions and restrictions listed in the staff report.



## Town of Jackson

### MALT BEVERAGE PERMIT APPLICATION

Permit # \_\_\_\_\_

Fee (\$100.00 Per Day) \$100

**W.S. 12-4-502. Twenty-four hour malt beverage permit and catering permit; restrictions; application procedure; fees.**

(a) A malt beverage permit authorizing the sale of malt beverages only may be issued by the appropriate licensing authority 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. W.S. 12-5-201 does not apply to this subsection.

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**All Malt Beverage Permit requests must be approved by the Jackson Town Council. Please submit the completed application at least 21 days in advance of the date of the event.**

Name of Organization Requesting Permit: Snake River Brewing Co.

Event Contact Person and Phone Number: Ariel Koerber 307-739-2337

Date(s) of Permit: September 25, 2018 Tuesday

Hours of Permitted Service and Consumption: 11am to 11pm

Description of Premises where malt beverages are to be served (physical address):

Snake River Brewing Co. Lawn at 265 S. Millward St Jackson, WY 83001

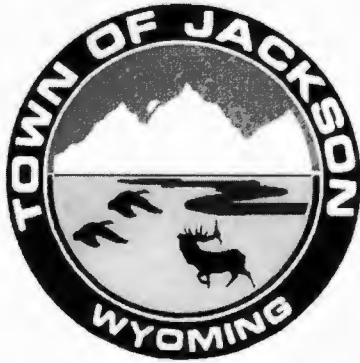
Purpose of Event: End of Summer Yard Party

I will not serve to any Minors under 21 (Sign Here): *Ariel Koerber*

Malt Beverage Permit will be processed and issued upon payment to the Town of Jackson.

Submit application to Town Hall or fax to 739-0919.

*Ariel@snakeriverbrewing.com*



## Town of Jackson

### MALT BEVERAGE PERMIT APPLICATION

Permit # \_\_\_\_\_

Fee (\$100.00 Per Day) \$100

**W.S. 12-4-502. Twenty-four hour malt beverage permit and catering permit; restrictions; application procedure; fees.**

(a) A malt beverage permit authorizing the sale of malt beverages only may be issued by the appropriate licensing authority 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. W.S. 12-5-201 does not apply to this subsection.

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**All Malt Beverage Permit requests must be approved by the Jackson Town Council.  
Please submit the completed application at least 21 days in advance of the date  
of the event.**

Name of Organization Requesting Permit: Snake River Brewing Co.

Event Contact Person and Phone Number: Ariel Koerber 307-739-2337

Date(s) of Permit: October 2, 2018 Tuesday

Hours of Permitted Service and Consumption: 11am to 11pm

Description of Premises where malt beverages are to be served (physical address):

Snake River Brewing Co. Lawn at 265 S. Millward St Jackson, WY 83001

Purpose of Event: Annual Oktoberfest party

I will not serve to any Minors under 21 (Sign Here) *Ariel Koerber*

Malt Beverage Permit will be processed and issued upon payment to the Town of Jackson.

Submit application to Town Hall or fax to 739-0919.