

City of Carson City
Agenda Report

Item # 10

Date Submitted: June 10, 2008

Agenda Date Requested: June 19, 2008
Time Requested: 10 minutes

To: Mayor and Board of Supervisors

From: Development Services Department/Business License

Subject Title: Action to approve, on second reading, an ordinance amending Carson City Municipal Code Chapter 4.13 Liquor Board and Liquor Licensing and Sales, Section 4.13.010 Definitions by adding a definition for the Business License Division and reordering the definitions; Section 4.13.060 Application for License by changing City Treasurer to the Business License Division; Section 4.13.070 Investigation - Fees by changing City Treasurer to the Business License Division; Section 4.13.110 License Fees by changing the fees from quarterly to annually, Section 4.13.120 Transferability and Use by changing City Treasurer to Business License Division, Section 4.13.133 Seasonal license by deleting the entire section, Section 4.13.140 Revocation of License by changing the section to Grounds for Disciplinary Action which will give the Board more disciplinary actions than just revocation, Section 4.13.150 Revocation Procedure by changing the section to Disciplinary Action Procedure and replacing the word "Revocation" with "Disciplinary Action" and giving the Board the option to fine, suspend, limit, condition, or revoke a liquor license, Section 4.13.160 Exception to Revocation Procedure by changing the section to Emergency Summary Suspension which not only allows the Board to suspend a license in an emergency but also provides that the Sheriff has the authority to suspend a liquor license during an emergency and defines the due process that must be given to the licensee, Section 4.13.190 Unlawful to Serve Minors by deleting the requirement that a license can only be disciplined for "Knowingly" and "Willfully" serving a minor, Section 4.13.240 Application for short-term permit by changing Treasurer to Director, Section 4.13.250 Approval of short-term permit by making minor amendments regarding the city officials who need to approve the application, Section 4.13.260 Denial-Remedy by making minor changes for consistency and other matters properly related thereto.

Staff Summary: The proposed changes to the current provisions of the Carson City Municipal Code ("CCMC") governing the issuance and regulation of liquor licenses include changing various references from the City Treasurer's Office to the Development Services Department to reflect that the duties relating to liquor licenses have been moved, changing the fees required to be paid for a liquor license from quarterly to annual fees for the ease of both City staff and liquor license holders, repealing the provisions of the issuance of a seasonal liquor license in that such a provision is obsolete, revising the provisions governing the discipline of liquor license holders for violations of the CCMC and other laws relating to the sale of liquor and to provide clear guidance on the procedures for disciplinary action and the types of disciplinary action that may be taken by the Board against the holder of a liquor license, providing that the Carson City Sheriff's Office has the authority to suspend a liquor license in certain circumstances and revising the circumstances in which a person can be cited for serving a minor.

Type of Action Requested: (X) Ordinance Second Reading

Does This Action Require A Business Impact Statement: () Yes (X) No

Recommended Board Action: I move to approve on second reading, Bill No. 123, An ordinance amending Carson City Municipal Code Chapter 4.13 Liquor Board and Liquor Licensing and Sales, Section 4.13.010 Definitions by adding a definition for the Business License Division and reordering the definitions; Section 4.13.060 Application for License by changing City Treasurer to the Business License Division; Section 4.13.070 Investigation - Fees by changing City Treasurer to the Business License Division; Section 4.13.110 License Fees by changing the fees from quarterly to annually, Section 4.13.120 Transferability and Use by changing City Treasurer to Business License Division, Section 4.13.133 Seasonal license by deleting the entire section, Section 4.13.140 Revocation of License by changing the section to Grounds for Disciplinary Action which will give the Board more disciplinary actions than just revocation, Section 4.13.150 Revocation Procedure by changing the section to Disciplinary Action Procedure and replacing the

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Explanation for Recommended Board Action: The Board is required to approve all changes to the Carson City Municipal Code

Applicable Statute, Code, Policy, Rule or Regulation: CCMC Title 4

Fiscal Impact: Unknown at this time

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: 1) Deny
2) Refer back to Staff for additional restudy

Supporting Material: Proposed ordinance

Prepared By: Lena Tripp, Senior Permit Technician

Reviewed By:

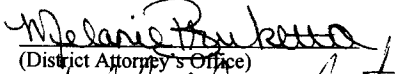
(Ken Furlong, Sheriff)

(Walter Sullivan, Development Services Director)

Date: _____
Date: 6-10-08

(Larry Werner, City Manager)

Date: 6-10-08


(District Attorney's Office)

Date: 6-10-08


(Nick Providenti, Finance Director)

Date: 6-10-08

Board Action Taken:

Motion: _____

1) _____ Aye/Nay
2) _____

(Vote Recorded By)