

RESOLUTION NO. 166

A RESOLUTION adopting a policy for approving liquor license applications.

WHEREAS, the Washington State Liquor Control Board requires Council review of license applications for businesses within the corporate limits of Gig Harbor; and,

WHEREAS, the City of Gig Harbor receives several requests for approval of new license applications, renewal of licenses, and extended uses; and,

WHEREAS, the City has not developed criteria for evaluating liquor license applications; and,

WHEREAS, the City Council has the responsibility to protect the public's health, safety, and welfare; and,

WHEREAS, the time is appropriate for the City Council to make known its policy for approving liquor license applications;
NOW THEREFORE,

Section 1. General Provisions.

Every application for a new license, renewal of a current license, extended use of a current license, or special occasion use shall be reviewed by the City's management staff. The staff shall report any findings to the City Council. Every application shall then be reviewed and approved by the City Council.

Section 2. Compliance with State and City Laws.

Every application shall comply with the provisions of Title 66 - Alcoholic Beverage Control - of the Revised Code of Washington and the administrative policies of the Liquor Control Board. And every application shall comply with City ordinances relating to the operation of a business and the sale of alcoholic beverages.

Section 3. Council Decision to be Reported.

The City Administrator or his designee shall report the Council's decisions on every application to the Liquor Control Board.

Section 4. New License Applications.

A. Public Hearing Required.

The City shall hold at least one advertised public hearing to allow citizen comments.

B. Experience and Reputation - Requirements.

The applicants shall demonstrate that at least one person involved in the ownership or management of the proposed business has owned and/or operated in the past five (5) years a business involved in the sale of alcoholic beverages.

Furthermore the previous business operation must have a good reputation with the Liquor Control Board, and the citizens and Police Department of the community in which the business was located. The staff shall report to the council all information relating to violations of RCW 66.44.090 through 66.44.350 and citizen complaints filed with the Police Department.

C. License Approval Before Site Plan Review.

A new application must receive Council approval before the Council will review the site plan. And a license must be issued by the Liquor Control Board before the Council approves the site plan.

Section 5. Renewal of Current License.

A. Public Hearing - When Required.

The City Council will hold an advertised public hearing before approval of a renewal when the Staff and Council review reveals policing problems or complaints from the community. If a public hearing is not necessary, the renewal will be considered at a regular meeting of the City Council.

B. Approval of License.

A license renewal will be approved unless there is a history of liquor code violations, citizen complaints, or documented policing problems.

Section 6. Extended Use of a Current License.

A. Public Hearing - When Required.

The City shall require an advertised public hearing when a current license holder petitions for extended use(s) of the license.

B. Additional Use Classifications.

The license holder must demonstrate a history of no liquor code violations in the past two years. The staff shall report to the Council all information relating to citizen complaints and policing problems documented by the Police Department.

C. Service Outside of Structure.

An application must designate, by a site plan drawing, the area outside the business structure in which alcoholic beverages will be served. The designated area shall not extend further than one hundred (100) feet from the structure. And the area shall not exceed three thousand (3,000) square feet.

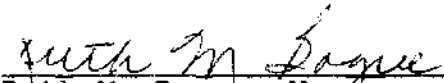
If the license holder is requesting a continuing use or seasonal use, the site plan shall also identify permanent and/or temporary structures and seating capacity. All other requests shall be reviewed on a special occasion basis. A special occasion shall not exceed three days.

Section 7. Special Occasion Licenses.


A. Public Hearing - When Required.

The City shall require an advertised public hearing when the Staff and Council review reveals an unacceptable history of citizen complaints and documented policing problems. If a public hearing is not required, the application will be considered at a regular meeting of the City Council.

PASSED this 13th day of December, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider
Administrator/Clerk