ORDINANCE NO.__

AN ORDINANCE TO AMEND SECTION 3-3 OF THE GILLETTE CITY CODE TO EXTEND THE REQUIREMENT OF ALCOHOL SERVER TRAINING TO ALL ALCOHOL SERVER STAFF

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

SECTION ONE. Section 3-3 of the Gillette City Code is amended to read as follows:

3-3.   Minors in dispensing rooms of establishments operating by the authority of a liquor license and sale of liquor to minors, obviously intoxicated persons and incompetents prohibited and server training requirements.

A. It shall be unlawful for any person under the age of 21 years to enter or attempt to enter or to be in or about any dispensing room or rooms in any establishment operating by virtue of a liquor license issued by the City unless:

(i) In a dining or waiting area with an adult not later than 10:00 p.m. if the dining or waiting area is part of the licensed room, but not including seating at the bar itself ;

(ii) Provided however, in a restaurant covered by a liquor license, employees at least eighteen (18) years of age are permitted in the dispensing room in the course of their employment and may serve alcoholic or malt beverages. (Ord. 3741, 11-21-2011; Ord. 3762, 7-2-2012; Ord. 3782, 1-22-13)

B. Every liquor Licensee or his servant or employee who sells, gives or delivers alcoholic liquor or malt beverages to any obviously intoxicated person or any incompetent person or person under the age of 21 years, or who permits any person under the age of 21 years to enter or remain in the licensed room or rooms where intoxicating or malt beverages are dispensed, is guilty of a misdemeanor which is a violation of a Category 1 Standard.(Ord. No. 1690, 6-6-88 ; Ord. 3493, 6-18-2007)

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C.   A person who is at least 19 years of age and is either the holder of a liquor license or a shareholder in a corporation which is the holder of a liquor license, may enter, remain within the dispensing room and may dispense or serve alcoholic beverages and otherwise work within the dispensing room operated by virtue of that license. (Ord. 1690, 6-6-88) (Ord. No. 1772 10/01/90)

D.   All persons employed at any business operating with a liquor license issued by the City of Gillette who are engaged in the selling or serving of alcoholic beverages or the managing thereof, hereinafter Alcohol Server Staff, shall successfully complete an alcohol server training program as approved by Wyoming Statute Section 12-2-402, within 90 days of the start of their employment, or the effective date of this ordinance, whichever is later. All Alcohol Server Staff shall complete any additional or further training to maintain their server training certification. Every License holder shall maintain a server training record for all Alcohol Server Staff , including their date of hire, and proof that each of them has successfully completed the alcohol server training required by this ordinance, and any additional or further training to maintain their server training certification. The City will furnish an appropriate server training record log to maintain the records required in this section. In addition, every License holder shall keep their server training records available for review and copying at any time when the licensed premises is open for business by the Gillette Police Department at their licensed premises to insure compliance with the server training requirements of this ordinance.

SECTION TWO. Section 3-5 (b) (2) (F.) of the Gillette City Code is enacted to read as follows:

(F.) Comply with the training and records maintenance requirements of Section 3-3 D of the Gillette City Code.

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2013.

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Tom Murphy, Mayor

(S E A L)
ATTEST:

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Karlene Abelseth, City Clerk
Published: