

ORDINANCE NO. __

AN ORDINANCE TO DEFINE BOTTLE CLUBS AND PROVIDE FOR THEIR OPERATION ONLY IN ESTABLISHMENTS OPERATING BY VIRTUE OF A LIQUOR LICENSE

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

SECTION ONE. Section 3-5 (d) of the Gillette City Code is renumbered 3-5 (f), and section 3-5(e) of the Gillette City Code is renumbered 3-5(d) and Section 3-5(e) of the Gillette City Code is enacted to read as follows:

(d) Limousine

Alcoholic liquor or malt beverages may be consumed by adult passengers within commercial limousines. A limousine is a passenger car pursuant to W. S. § 31-1-101, with a closed passenger compartment seating three or more passengers which is separated from the driver's seat with a partition which may be of glass. No fee may be charged for any alcoholic liquor or malt beverage consumed in the limousine. (Ord. 1878, 4-5-93)

(e) Bottle Clubs

(1) "bottle club" is an operation or enterprise whereby space is given or rented to any person or persons upon the premises of such operation or enterprise for the keeping or storage of alcoholic or malt beverages for consumption upon such premises or in other rooms nearby, used for consumption by the owner of the beverages or guests, the income, profits or fees of the operator of the bottle club being secured from sales or furnishing mixes, ice, food or glasses or from dues, charges, contributions, membership cards or assessments including charges for the rental of storage space for the alcoholic or malt beverages.

(2) It is unlawful to operate a bottle club in the city, and any person who operates a bottle club shall be deemed guilty of a misdemeanor. Each day of operation shall be deemed a separate offense. This subsection shall not apply to any person lawfully licensed under the liquor laws of the state and/or the city and

operating a bottle club within a establishment operating by virtue of a liquor license issued by the City.

(f) Penalty.

Violations of these Sections are punishable by a fine of not more than Seven Hundred Fifty Dollars (\$750). Evidence that the Licensee or his employee summoned police to deal with activity within the establishment that is prohibited by the preceding Section (b) may be considered in mitigation of a charge that the Licensee or its employee violated that Section of the ordinance. (C.O. 1948, 285; Ord. No. 694, 1, 5-7-73; Ord. No. 806, 12-15-75; Ord. No. 884, 1, 6-6-77; Ord. No. 932, 1, 4-17-78; Ord. 1887, 6-7-93 ; Ord. No. 3493, 6-18-2007)

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2014.

John Opseth, Mayor
(S E A L)
ATTEST:

Karlene Abelseth, City Clerk
Published: