

Moab City Council Agenda Item
Meeting Date: March 10, 2020 (tabled)
Meeting Date: April 14, 2020

Title: Approval of Proposed Ordinance #2020-05 – Repealing Local Alcoholic Beverage Licensing and Associated Fees

Date Submitted: February 28, 2020

Presenter: Rachel Stenta, Finance Director

Attachment(s):

- 1) Draft Ordinance #2020-05

Background/Summary:

When I started as business licensing official 22 years ago, City's were granted the authority by the Department of Alcoholic Beverage Control (DABC) to regulate and license beer sales within the City for 3.2% beer only. Since that time the state has made several changes:

- 1) A state DABC license is now required for all sales of alcohol including beer; and
- 2) Beer sales in the state of Utah are no longer limited to 3.2% beer.

The regulation that our licensing served in the past was to check an applicant's criminal history, to check the proximity of the sales location to schools, public parks, churches, etc. and to ensure a successful health inspection. The DABC license requires all of the same criteria. Further, an applicant cannot purchase or sell any type of alcohol without a DABC license. The City license is now completely redundant and after speaking to DABC they confirmed that it is the City's option to issue alcohol licenses and some cities have chosen not to license for the same reasons mentioned.

Every business that seeks a DABC license to serve or sell alcohol within Moab city limits is required to obtain Local Consent from the City of Moab prior to applying with DABC. That ensures that the City still has some oversight and knowledge as to which businesses are applying to sell and serve alcohol.

My recommendation is to repeal our Alcohol Licensing code and remove the fees associated with those licenses effective immediately. We can prorate a refund for existing license holders.

Thank you and please let me know if you have any questions.