

ORDINANCE NO. 1148

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, CREATING NEW SUBSECTIONS 5.08.140A AND 5.08.140B OF THE PAYETTE MUNICIPAL CODE ALLOWING A PERSON HOLDING A BEER OR LIQUOR LICENSE TO BE GIVEN A PERMIT TO CATER SPECIAL EVENTS OUTSIDE THE BUSINESS ESTABLISHMENT; ESTABLISHING A PENALTY; SETTING AN EFFECTIVE DATE; ESTABLISHING SEVERABILITY; ALLOWING FOR PUBLICATION BY SUMMARY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO;

Section 1. There are hereby created new subsections of the Payette Municipal Code which subsections shall be designated 5.08.140A and 5.08.140B, and which shall read as follows:

5.08.140A. Any person who holds a beer, wine or liquor license may apply to the Director of the Department of Public Safety for a permit to cater special events outside their licensed establishment. There shall be a fee of \$20.00 for such a permit.

5.08.140B. The right shall be, and at all times shall remain, vested in the Director of the Department of Public Safety to suspend, revoke or cancel any permit issued to any person pursuant to Section 5.08.140A at any time, without notice, if the Director has cause to believe that (1) the licensee has violated or failed to comply with any law, ordinance or regulation relating to beer, wine or liquor; or (2) the catered event presents a threat to the health or welfare of the citizens of the City of Payette. The decision of the Director of the Department of Public Safety to suspend, revoke or cancel a permit may be appealed to the City Council by the permit holder.

Section 2. Any person who violates the terms of a catering permit is guilty of a misdemeanor and shall be punished in accordance with the misdemeanor statutes of the State of Idaho.

Section 3. Any ordinances which are in conflict with this ordinance are hereby repealed, but only insofar as the conflict exists.

Section 4. If any portion of this ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the ordinance shall remain in full force and effect and shall constitute ordinance number 1148.

Section 5. This ordinance may be published by summary in accordance with the statutes of the state of Idaho.

Section 6. This ordinance shall be in full force and effect immediately upon passage and publication as required by law.

Passed and approved by the Mayor and City Council this 15 day of Sept, 1997.

CITY OF PAYETTE

By James E. McQuinn
Mayor

ATTEST:

John P. Drappa
City Clerk