

ORDINANCE 1389

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING CHAPTER 5.08 OF THE PAYETTE CITY CODE BY AMENDING SECTION 5.08.190 ADDING NEW REQUIREMENTS FOR ISSUING CATERING PERMITS FOR SPECIAL EVENTS, AND ADDING MINIMUM REQUIREMENTS FOR CATERING PERMIT APPLICATIONS; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER; ESTABLISHING A PENALTY.

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

Section 1. Section 5.08.190 of the Payette Municipal Code is hereby amended to read as follows:

5.08.190: CATERED EVENTS:

A. Any person who holds a beer, wine or liquor license may apply to the ~~director of the department of public safety~~ city for a permit to cater special events outside their licensed establishment. ~~There shall be a fee as set by resolution for such a permit.~~ The catering permit is designed for special occasions; applicants will not be allowed to request catering permits on a continuous basis such as social gatherings week after week at one establishment.

B. All persons who serve and sell liquor by the drink, beer and wine, or beer, or wine, at a party, convention or similar event to take place within the city, shall obtain an alcohol beverage catering permit issued pursuant to this chapter. An alcohol beverage catering permit shall be limited to authorization to sell liquor, beer or wine, or any combination thereof, for a period not to exceed three consecutive days. Further, the permit shall be limited to authorization to sell liquor, beer or wine, or any combination thereof, based upon the type of license which the applicant possesses. Applications for such permit shall be made to the city, on such form as prescribed by the city, which shall contain at a minimum, but not be limited to, the following information:

1. The name and address of the applicant and the number of his/her state liquor, beer or wine license;

2. The dates and hours during which the permit is to be effective, not to exceed three consecutive days;

3. The names of the organizations, groups, or persons sponsoring the event; and the name of the applicant's designee who will be present at the event;

4. The address at which the liquor, beer or wine is to be served, and if a public building, the rooms in which the liquor, beer or wine is to be served. If the location or premises upon which the liquor, beer or wine is to be served is not owned by the applicant, a certified copy of the lease or consent to occupy the premises and a showing of proof that the owner consents to the service and sale of alcoholic beverages on such premises must be included with the application.

C. The application shall be verified by the applicant and filed with the city clerk not less than three working days prior to the catering date(s) requested. Failure to complete the required portions of the application may result in a denial of the application.

D. The application shall be accompanied by a filing fee as set by resolution for each day the permit is to be in effect and such fee shall be paid to the city and shall not be refunded in any event.

E. Any alcohol catering permit issued by the city, shall be valid only under the conditions and terms approved by the city and be valid only within the city limits.

F. A catering permit issued pursuant to this chapter is nontransferable.

G. The applicant or the applicant's designee is required to carry, display, or post the original catering permit issued and one (1) or both must be personally present at the approved catering premises at all times during the life of the catering permit.

BH. The right shall be, and at all times shall remain vested in the ~~director of the department of public safety~~ chief of police or the designee to suspend, revoke or cancel any permit issued to any person pursuant to subsection A of this section

at any time, without notice, if the ~~director~~ chief of police or the designee 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. The decision of the ~~director of the department of public safety~~ chief of police or the designee to suspend, revoke or cancel a permit may be appealed to the city council by the permit holder.
3. The chief of police may, upon good cause shown, require different conditions, terms, or a reduction in the number of requested dates or times for a catering permit as determined reasonable to carry out the policies of the city, which include protection of the health, safety and welfare of the public, or to prevent an unlawful disturbance or nuisance. Such conditions may include execution of an indemnification agreement; posting of appropriate signs; and hiring at the applicant's expense of additional bonded security personnel.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

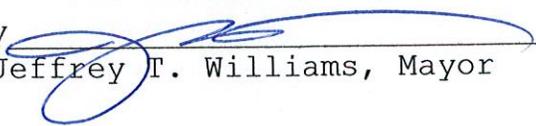
Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

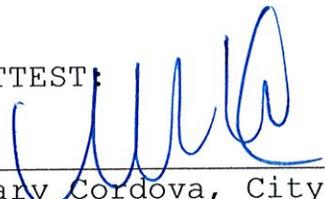
Section 6. Any violation of this ordinance shall be a misdemeanor punishable in accordance with the general misdemeanor statutes of the State of Idaho.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 5th day of November, 2014.

CITY OF PAYETTE, IDAHO

by 
Jeffrey T. Williams, Mayor

ATTEST:


Mary Cordova, City Clerk