ORDINANCE NO. 2001 - 06

AN ORDINANCE AMENDING THE ALCOHOLIC BEVERAGES ORDINANCE OF THE CITY OF WENDOVER, UTAH AMENDING BOND REQUIREMENTS FOR CLASS "A" BEER LICENSES AND CLASS "G" SINGLE EVENT LICENSES

Preamble

A. The City of Wendover, Tooele County, Utah is authorized by Utah Code Annotated Section 10-8-42 to regulate the possession, manufacture and sale of alcoholic beverages.

B. The City of Wendover, Tooele County, Utah is authorized by Utah Code Annotated Section 32A-10-101, et seq, to regulate the sale of beer and to regulate businesses engaged in the sale or distribution of beer.

C. The City of Wendover, Tooele County, Utah is authorized and given discretion by Title 32A, Utah Code Annotated, to give its consent to the issuance of licenses for the sale of alcoholic beverages within the City.

D. The City deems it reasonable to amend its existing ordinance regulating the sale of alcoholic beverages, changing the bond requirements for Class "A" Beer Licenses and Class "G" Single Event Licenses, reducing the amount thereof from $10,000 to $1,000.00.

BE IT ORDAINED BY THE CITY COUNCIL OF WENDOVER, TOOELE COUNTY, UTAH AS FOLLOWS:

Section 1. Amendment of Bond Requirement for Class "A" Beer Licenses. Section 2-102.4 is hereby amended to reduce the cash, corporate or surety bond from $10,000 to $1,000.00. Said section 2-102.4 shall read in its entirety as follows:

> *4. Bond. Each Class A Beer licensee shall post a cash, corporate or surety bond in the penal amount of one thousand dollars ($1,000.00) payable to the City which the Licensee has procured and thus maintained for so long as the Licensee continues to hold its Class A License.*
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> > *A. The bond shall be in a form approved by the City Attorney conditioned upon the Licensee's faithful compliance with this Ordinance, the Alcoholic Beverage Control Act and the rules and regulations of the Commission.*
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> > *B. If the cash, corporate or surely bond is canceled due to the licensee's negligence, a one hundred dollar ($100.00) reinstatement fee may be assessed by the City. No part of any*

cash or corporate bond so posted may be withdrawn during the period the License is in effect or while revocation proceedings are pending against the Licensee. The bond filed by the Licensee may be forfeited if the license is finally revoked.

Section 2. Amendment of Bond Requirement for Class "G" Single Event Licenses. It is hereby acknowledged that the bond requirement for Class "G"Single Event licenses incorporates by reference the provisions of Section 2-102.4 of the City's Alcoholic Beverage Ordinance. It is the express intention of the City that the amendment to said section 2-102.4, as described in Section 1 of this Ordinance, shall apply to the issuance and maintenance of Class "G" Single Event licenses, requiring a bond in the amount of $1,000.00.

Section 3. Effect on Remainder of Alcoholic Beverage Regulations. Except as expressly modified in Sections 1 and 2, above, all other provisions of the City's Alcoholic Beverage Ordinance shall not be affected by this Ordinance.

Section 4. Severability. If any section, paragraph, clause or provision of this ordinance shall be held invalid, unlawful or unenforceable, the same shall not effect the validity or enforceability of the remaining provisions of this Ordinance.

Section 5. Effective Date. This ordinance shall become effective immediately upon passage, deposit with the office of the City Recorder and publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WENDOVER, TOOELE COUNTY, UTAH THIS 15th DAY OF AUGUST, 2001.

THE CITY OF WENDOVER

BY: _____
STEPHEN B. PERRY
MAYOR

ATTEST:

_____
MARGARET L. WHEELER
CITY RECORDER

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