

9:79. - Annual renewal; license revocation, appeal and fees.

- (1) The City's Liquor License Review Committee shall annually review before March 30 each licensee's on-premises liquor license to determine whether or not to object to the State Liquor Control Commission's renewal of the license, and investigations and recommendations as to each renewal request shall be undertaken and provided by the Police, Fire, Building and any other service units as the City's Liquor License Review Committee deems appropriate, which service units shall make written recommendations as to the liquor license renewal. On receipt of the written recommendations, the City's Liquor License Review Committee shall make review the recommendations, and forward to City Council a recommendation for approval of or revocation and nonrenewal of the on-premises liquor license. City Council may object to renewal of the liquor license for any of the following reasons:
- (a) Failure to comply with all standards plans and conditions established and approved at the time of the issuance of the license or at a time of later city approval.
 - (b) Failure to timely pay all personal property taxes and all real property taxes and all other obligations due and payable to the City or have outstanding any personal property tax or real property tax or obligation due and payable to the City as of the date of the annual review.
 - (c) Repeated violation of the state liquor law.
 - (d) Violations of this chapter or other City ordinance.
 - (e) Maintenance of a nuisance upon or in connection with the licensed premises, including but not limited, to any of the following:
 - i. Existing violations of the building code, electrical code, fire prevention code, mechanical code, plumbing code, health code or other applicable code.
 - ii. Violation of the zoning ordinance.
 - iii. A pattern of patron conduct in the neighborhood of the licensed premises which is in violation of the law and/or disturbs the peace, order and tranquility of the neighborhood.
 - iv. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris, or refuse blowing or being deposited upon adjoining properties.
 - v. Entertainment on the licensed premises without a permit and/or entertainment which disturbs the peace, order and tranquility of the neighborhood of the licensed premises.
 - vi. Any advertising, promotion, or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience of rules, ordinances or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
 - vii. Numerous police contact with the licensed premises or the patrons of the premises.
 - viii. Repeated reports that the licensee is serving minors or intoxicated persons.
 - ix. Failure by the licensee to permit the inspection of the licensed premises by the City's employees, agents and/or representatives in connection with the enforcement of this chapter.
- (2) Prior to filing an objection with the liquor control commission to renew a liquor license, the City Council shall do the following:
- (a) Serve written notice on the licensee, which shall include:
 - i. Notice of the proposed action and the reasons for the action.
 - ii. Date, time and location of hearing on the matter and a statement that at the hearing licensee may present evidence and arguments on its behalf, confront witnesses and may be represented by a licensed attorney.
 - (b) Hold a hearing no earlier than 10 days after service of the written notice on the licensee. The hearing may be conducted by Council as a whole or by a Hearing Officer or Hearing Board appointed by Council for such purposes. If a Hearing Officer or Board is appointed, it shall be the Officer/Board responsibility to make a recommendation to City Council for the Council final review and decision.
 - (c) City Council shall make a written resolution as to its findings and determination and mail same to licensee and the Liquor Control Commission.
- (3) A nonrefundable fee, in an amount determined by Resolution of City Council, to cover the cost of annual investigation and review by the City shall be established and payable before March 30 each year by licensees.

(Ord. No. 09-18, § 1, 5-18-09)