

**VINEYARD
ORDINANCE 2021-01**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING THE
VINEYARD MUNICIPAL CODE TITLE 5 BUSINESS LICENSING, CHAPTER 5.10
INTOXICANTS**

WHEREAS, The Vineyard City Council under the authority of Utah Code 10-3 to amend the municipal code; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens of the city to amend Chapter 5.10 Intoxicants; and

NOW THEREFORE, be it ordained by the Council of Vineyard, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “5.10.030 Retail Licenses” of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.10.030 Retail Licenses

Retail licenses issued here-under shall be of the following three kinds and shall carry the following privileges and be known as class "A," class "B," and class " C", and "D" Temporary seasonal licenses". class “E”, class “A liquor license for private clubs”, class “B liquor license for restaurants” and class C liquor temporary event license.”

- A. Class "A" retail licenses issued here-under shall entitle the licensee to sell beer on the premises licensed in original containers for consumption off the premises in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of this municipality.
- B. Class "B" retail licenses shall entitle the licensee to sell beer in the original containers on the premises for consumption on or off the premises in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of this municipality.
- C. Class "C" licenses for retail shall entitle the licensee to sell draft beer for consumption on the premises and to sell beer in accordance with the Utah Alcoholic Beverage Control Act and the ordinances of this municipality.
- D. Class “D” "Temporary Seasonal beer licenses" of any class by be issued for a period of time not to exceed one year which period shall be determined by the governing body.
- E. Class “E ~~Private Club~~Bar beer license”. Shall entitle the licensee to sell beer for consumption on the premises of a ~~private club~~bar licensed for the sale of liquor by the State of Utah pursuant to Utah Code 32B-6-401 et seq.
- F. Class “A Liquor License for ~~Private Clubs~~Bars” This license shall permit the sale of liquor in a ~~private club~~bar licensed for such sale by the State of Utah pursuant to Utah Code 32B-6-401 et seq. and licensed by the City pursuant to Utah Code 11-10-1.

- G. Class "B Liquor License for Restaurants." This license shall permit the sale of liquor in a restaurant licensed for such sale by the State of Utah pursuant to Utah Code 32B-6-1 or 2 and licensed by the City pursuant to Utah Code 11-10-1.
- H. Class "C Temporary Liquor License." This license shall permit the sale of liquor at a single temporary event and location when licensed for such sale by the State of Utah pursuant to Utah Code 32B-303 and licensed by the City pursuant to Utah Code 11-10-1.

SECTION 2: **AMENDMENT** "5.10.140 Restrictions" of the Vineyard Municipal Code is hereby *amended* as follows:

A M E N D M E N T

5.10.140 Restrictions

- A. It is unlawful for any person to sell beer or liquor at any public dance or to any person intoxicated, or under the influence of any intoxicating beverage.
- B. No license shall be granted to sell beer or liquor in any dance hall, theater, or within school 600 feet of a public or private school, church, library, public playground or public park, as measured from the nearest entrance of the licensed premises by following the shortest route of ordinary pedestrian travel to the property boundary of the public or private school, church, library, public playground or public park; or within 200 feet of a public or private school, church, library, public playground or public park, measured in a straight line from the nearest entrance of the licensed premises to the nearest property boundary of the public or private school, church, library, public playground or public park unless granted a variance pursuant to Utah Code 32B-1-202.
- C. It shall be unlawful to sell beer or liquor to any person under the age of 21, or to sell beer or liquor for consumption on the premises unless so licensed.
- D. It shall be unlawful for a holder of a license that allows the on-premise consumption of beer to sell or otherwise furnish or dispose of beer, or allow it to be drunk or consumed on the premises or to allow beer out of original containers to remain on the licensed premises, whether or not open to the public, after the closing hour of 1:00 a.m. and before 10:00 a.m. of any day.
- E. Any person having a Class "B", "C", "D", or "E" beer license, or his agents or employees, shall remove or cause to be removed from the licensed premises all patrons, customers or individuals not employed on the premises by the time above stated in D.
- F. It shall be unlawful for any person having a Class "B", "C", "D", or "E" beer license or for his agents or employees to permit any patron, customer or individual not employed on the premises to remain on such premises after the closing time above provided; provided however, no licensed premises may employ more than two persons on the premises after the closing hour without the permission of the chief of police or the mayor.
- G. Licensed premises shall be kept brightly illuminated at all times while it is occupied or open for business, and no booth, or kind of stall shall be maintained unless all tables, chairs and occupants are kept open to full view from the main floor and the entrance of such licensed premises. It shall be unlawful to advertise the sale of beer or liquor except under

such regulations as are made by the Alcoholic Beverage Control Commission of Utah, provided that a simple designation of the fact that beer or liquor is sold under City license may be placed in or upon the window or front of the licensed premises.

- H. It shall be unlawful for any person to sell beer or liquor except in the manner for which he has been so licensed pursuant to the provisions of this section.
- I. It shall be unlawful to keep or maintain a nuisance as defined in this section.-
- J. It shall be unlawful for any Class "A" retail beer licensee or its employees to sell, offer for sale, or furnish beer at the licensed premises from 1:00 a.m. to 6:00 a.m.
- K. It shall be unlawful for any Class "B" retail beer licensee or its employees to sell, offer for sale, or furnish beer at the licensed premises from 1:00 a.m. to 10:00 a.m.
- L. It shall be unlawful for any Class "C" retail beer licensee or its employees to sell, offer for sale, or furnish beer at the licensed premises from 1:00 a.m. to 10:00 a.m.
- M. It shall be unlawful for any Class "D" temporary seasonal beer licensee or its employees to sell, offer for sale, or furnish beer from 1:00 a.m. to 10:00 a.m.
- N. It shall be unlawful for any Class "E" bar beer licensee or its employees to sell, offer for sale, or furnish beer at the licensed premises from 1:00 a.m. to 10:00 a.m.
- O. It shall be unlawful for any Class "A" liquor licensee or its employees to sell, offer for sale, or furnish liquor at the licensed premises from 1:00 a.m. to 10:00 a.m.
- P. It shall be unlawful for any Class "B" liquor licensee or its employees to sell, offer for sale, or furnish liquor at the licensed premises from 12:00 a.m. to 11:30 a.m.
- Q. It shall be unlawful for any Class "C" liquor licensee or its employees to sell, offer for sale, or furnish liquor at the licensed premises from 1:00 a.m. to 10:00 a.m.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

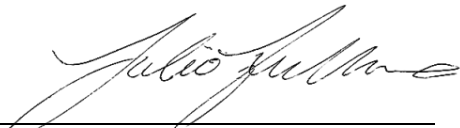
SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect from January 13, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL JANUARY 13, 2021.

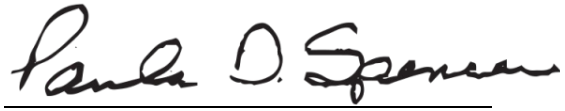
	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	<u>X</u>	_____	_____	_____
John Earnest	<u>X</u>	_____	_____	_____
Tyce Flake	<u>X</u>	_____	_____	_____
Chris Judd	<u>X</u>	_____	_____	_____
Cristy Welsh	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Julie Fullmer, Mayor, Vineyard



Pamela Spencer, City Recorder
Vineyard

