

ORDINANCE NO. 2022- 19

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL AMENDING SECTION 5.04.180 OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO INCREASE THE NUMBER OF CITY ALCOHOLIC BEVERAGE LICENSES IN EXCESS OF THE QUOTA AVAILABLE IN THE DOWNTOWN DISTRICT.

WHEREAS, the South Salt Lake City Council (the "Council") is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the "City");

WHEREAS, the South Salt Lake Municipal Code currently allows for one Bar or Tavern City Alcoholic Beverage License per 3,000 individuals of City population;

WHEREAS, the South Salt Lake Municipal Code allows for three additional Bar or Tavern City Alcoholic Beverage Licenses in excess of the above quota if those licenses are issued in the Downtown District;

WHEREAS, the Council finds that currently the number of available Bar Establishment and Tavern licenses in the City, including the three excess licenses allowed in the Downtown District, is depleted;

WHEREAS, the Council desires to increase the number of Bar Establishment and Tavern City Alcoholic Beverage Licenses allowed in excess of the quota in the Downtown District from three to five; and

WHEREAS, the Council hereby determines that amending section 5.04.180 of the South Salt Lake Municipal Code to allow for five Bar Establishment and Tavern City Alcoholic Beverage Licenses in excess of the quota in the Downtown District is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City;

NOW, THEREFORE, be it ordained by the City Council of the City of South Salt Lake:

SECTION 1. Enactment. Sections 5.04.180 is hereby amended, as attached hereto and incorporated by reference in "Exhibit A."

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies. To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 4. Effective Date. This ordinance shall become effective upon Mayor's signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

DATED this 26th day of OCTOBER, 2022.

BY THE CITY COUNCIL:

Sharla Bynum
Sharla Bynum, Council Chair

ATTEST:

Ariel Andrus
Ariel Andrus, City Recorder

City Council Vote as Recorded:

Huff	<u>YES</u>
Thomas	<u>YES</u>
Bynum	<u>YES</u>
Mila	<u>ABSENT</u>
Siwik	<u>YES</u>
Pinkney	<u>YES</u>
Williams	<u>YES</u>

Transmitted to the Mayor's office on this 27th day of OCTOBER, 2022.

Ariel Andrus
Ariel Andrus, City Recorder

MAYOR'S ACTION: Approve

Dated this 28th day of OCTOBER, 2022.

Cherie Wood
Cherie Wood, Mayor

ATTEST:

Ariel Andrus
Ariel Andrus, City Recorder



Exhibit A:

5.04.180 City alcoholic beverage license caps.

The City shall limit its issuance of City alcoholic beverage licenses to the following license types in the amounts indicated below:

- A. Off-Premise Beer and Package Agency. The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage Control Off-Premise Beer license or sublicense or Package Agency shall not exceed a ratio of one City alcoholic beverage license per 400 individuals of City population;
- B. Banquet and Catering, Beer Recreational, Restaurant (Beer Only), Restaurant (Limited Service), Restaurant (Full Service), and Manufacturing (Brewery, Winery, & Distillery). The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage Control Banquet and Catering, Beer Recreational, Restaurant (Beer Only), Restaurant (Limited Service), or Restaurant (Full Service) license or sublicense shall not exceed a ratio of one City alcoholic beverage license per 800 individuals of City population; and
- C. Bar Establishment and Tavern. The total number of City alcoholic beverage licenses issued for a corresponding state Department of Alcoholic Beverage Control Bar Establishment or Tavern license or sublicense shall not exceed a ratio of one City alcoholic beverage license per 3,000 individuals of City population, except that an additional ~~three~~ five City alcoholic beverage licenses may be allowed in excess of the quota if they are issued in the Downtown District.

For purposes of this Section, population shall be determined by the most recent United States decennial or special census.