ORDINANCE NO. 2022-02

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING SECTION 5.04.103 OF THE IVINS CITY CODE ENTITLED "LICENSES REQUIRING THE CITY'S CONSENT"

WHEREAS, the Utah Legislature recently amended the Alcoholic Beverage Control Act regarding licenses requiring the City's consent; and

WHEREAS, the Ivins City Council desires to update Section 5.04.103 of the Ivins City Code entitled "Licenses Requiring The City's Consent" to conform to the recent changes in State law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF IVINS CITY, STATE OF UTAH:

SECTION 1. Section 5.04.103 of the Ivins City Code is hereby amended to now read as follows:

CHAPTER 5.04

ALCOHOLIC BEVERAGES

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5.04.103 LICENSES REQUIRING THE CITY'S CONSENT:

(1) Resort Licenses, including Resort Sublicenses. This license is only allowed in the resort commercial (RC) zoning district.

(2) Hospitality Amenity License. This license is only allowed in the resort commercial (RC) zoning district.

(3) Full-service Restaurant License. This license is only allowed in the following zoning districts: community commercial (C-1); neighborhood commercial (NC); resort commercial (RC); commercial professional and research (CPR); and resort mixed use (RMU).

(4) Limited-service Restaurant License. This license is only allowed in the following zoning districts: community commercial (C-1); neighborhood commercial (NC); resort commercial (RC); commercial professional and research (CPR); and resort mixed use (RMU).

(5) ~~Club License~~. Bar Establishment License. This license is only allowed in the following zoning districts: ~~community commercial (C-1); and resort commercial (RC)~~ commercial with light manufacturing (CLM)

(6) Airport Lounge License. Ivins City has no airport nor is an airport a permitted or conditional use in the City. As a result, there is no zoning district in which this license is allowed.

(7) On-Premise Banquet License. This license is only allowed in the following zoning districts: community commercial (C-1); resort commercial (RC); and resort mixed use (RMU).

(8) On-Premise Beer Retailer License, including Taverns. This license is only allowed in the following zoning districts: community commercial (C-1); and resort commercial (RC).

(9) Reception Center License. This license is only allowed in the following zoning districts: community commercial (C-1); resort commercial (RC); and resort mixed use (RMU).

(10) Beer-only Restaurant License. This license is only allowed in the following zoning districts: community commercial (C-1); neighborhood commercial (NC); resort commercial (RC); commercial professional and research (CPR); and resort mixed use (RMU).

(11) Event Permits. This license is only allowed in the following zoning districts: community commercial (C-1); and resort commercial (RC).

(12) Special Use Permits. Zoning is limited to the site for the primary commercial or religious use as authorized by the City.

(13) Package Agencies. Zoning is only allowed in the commercial with light manufacturing (CLM) zoning district.

(14) Liquor Warehousing License. This license is only allowed in the commercial with light manufacturing (CLM) zoning district.

(15) Beer Warehousing License. This license is only allowed in the commercial with light manufacturing (CLM) zoning district.

(16) Manufacturing Licenses. This license is only allowed in the commercial with light manufacturing (CLM) zoning district. (Ord. 2022-02, 2022)

Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Effective Date: This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS _____ DAY OF FEBRUARY, 2022 BY THE FOLLOWING VOTE:

	AYE	**NAY**	**ABSTAIN**	**ABSENT**
Mike Scott	_____	_____	_____	_____
Dennis Mehr	_____	_____	_____	_____
Jenny Johnson	_____	_____	_____	_____
Lance Anderson	_____	_____	_____	_____
Adel Murphy	_____	_____	_____	_____

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder