

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: August 29, 2011
	Agenda Item No. 5 Roll Call No. <u>11-1429</u> Communication No. <u>11-548</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Amending Revised City of Des Moines/City Council Policy for beer, wine or liquor permit/license applications.

SYNOPSIS:

Recommend approval of amending the revised City of Des Moines City Council Policy for beer, wine or liquor permit/license applications. On July 15, 1996 the City Council amended a policy, previously adopted, regarding issuance of liquor licenses without a new business having a Certificate of Occupancy. City Council asked that the policy be reviewed to determine if a liquor license could be approved pending the Certificate of Occupancy being issued.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

Several applications were recently withdrawn from the council agenda because the fire and/or building department could not approve the final Certificate of Occupancy. The compliance occurred shortly after the council meeting but prior to the next scheduled council meeting. The businesses requested a special meeting be held or to be placed on an agenda of a special meeting so they could open for business with a liquor license.

As a result, the City Council asked if a policy could be developed that would allow liquor licenses to be issued subject to final approval of all departments.

Staff researched the issue and found that the City Council had adopted a policy in 1996 stating, in part, that all applications will be submitted to the City Council with a recommendation for approval or denial based upon the most recent inspections. Council will not approve a license or permit subject to completion of fire, building, electrical, zoning, vice or other inspections.

Staff is suggesting that the policy be amended to allow liquor licenses to be presented to the City Council pending final approval if it is believed that all approvals will be granted prior to the next scheduled council meeting. The City Manager or his designee would determine, after discussions with the business

owner, the Permit and Development Center and the Fire Department that the application would be allowed to remain on the agenda pending approval. The City Clerk would only issue the liquor license upon direction of the City Manager or designee after the issuance of the Certificate of Occupancy.

PREVIOUS COUNCIL ACTION(S):

Date: May 9, 2011

Roll Call Number: 11-0762

Action: [Approving](#) Alcoholic Beverage License Applications for the following: **Moved by Hensley to adopt; and approve the license for Americana pending issuance of a Certificate of Occupancy. Refer to City Manager to work on a policy to approve licenses for new establishments pending issuance of Certificate of Occupancy or temporary Certificate of Occupancy. Motion Carried 7-0.**

Date: July 15, 1966

Roll Call Number: 96-2538

Action: Approved an amendment to the City of Des Moines/City Council Policy, For Beer, Wine or Liquor Permit/License Applications

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Approve the amended policy.

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