

**To:** Mayor and City Council

**From:** Jessica D. Spoden, Assistant City Attorney

**Date:** January 10, 2014

**Subject:** Explanation of Liquor Licensing Requirements - Items 7, 35, 36, & 37

The State of Iowa establishes a process for businesses to become licensed for sale of alcoholic beverages at both the retail and wholesale level. These licenses are subject to approval by a local authority, which is the city council when the license is in an incorporated city. The process for an establishment to obtain a new liquor license includes: first, filing an online application with the Iowa Alcoholic Beverages Division (ABD); second, the state notifies the City Clerk of the application; third, city staff determines whether the owner is in good moral standing by requesting a criminal history background check; fourth, city staff verifies the legal status of the business and other premise requirements. Upon the review of all requirements by city staff, the license is placed on a city council agenda for final approval. Once approved, that will be communicated to the State, which will issue the license.

Most new liquor licenses are valid for a period of one year. However, some special events require short term licenses which follow the same process. Also, licenses can be temporarily or permanently transferred to a new location. The transfer premises must meet the same requirements as the originally licensed premises. For new or short term licenses, the City Council can rely on city staff's review of the application.

Each establishment must renew their liquor license on an annual basis, based on the approval date of the original license. First, the business applies online to request the renewal. Second, the City Clerk is notified of the request and forwards the request to various departments who review the request and note any issues with the premise. The police department, through a designated officer, reviews the following criteria as related to the business: calls for service, liquor license violation data, general compliance with ABD regulations, and cooperation with local law enforcement. After review, the officer writes a recommendation to the City Council to either approve or deny the renewal request. The City Council makes a final decision to either approve or deny the request at a scheduled City Council meeting.

Denial of any new license or renewal request is eligible for appeal to the Iowa ABD.

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**TO:** Mayor Ann Campbell and Ames City Council Members

**FROM:** Lieutenant Jeff Brinkley – Ames Police Department

**DATE:** January 6, 2014

**SUBJECT:** Beer Permits & Liquor License Renewal Reference City Council Agenda  
January 14, 2014

The Council agenda for February 14, 2014, includes beer permits and liquor license renewals for:

- Class C Liquor & Outdoor Service – Oddfellows, 823 Wheeler St
- Class C Liquor – Café Beau, 2504 Lincoln Way
- Special Class C Liquor – Vesuvius Wood-Fired Pizza, 1620 S Kellogg Ave
- Class A Liquor – American Legion Post #37, 225 Main St
- Class C Liquor & Outdoor Service – Chipotle Mexican Grill, 425 S Duff Ave
- Class C Beer & B Native Wine – Casey’s #2560, 3020 S Duff Ave

A routine check of police records for the past twelve months found no violations for Oddfellows, Café Beau, Vesuvius, American Legion, or Chipotle. The Police Department would recommend renewal of these five licenses.

Casey’s was cited for sales of alcohol to a minor during a police compliance check on November 2, 2013. They have since passed a follow-up compliance check. We are continuing to monitor their compliance. We would recommend renewal at this time.