



APPLICATION # _____
 DATE RECEIVED _____
 RECEIPT # _____
 AMOUNT PAID _____

**TOWN OF LOOMIS
 ALCOHOLIC BEVERAGE LICENSE
 APPLICATION & PERMIT**

Applicant: _____ Phone: _____

Mailing Address: _____ City: _____ Zip: _____

SITE DATA

Name of Business: _____ Phone: _____

Address: _____ APN: _____

Zoning Designation: _____ General Plan Designation: _____

STANDARDS / CONDITIONS

- Distance from nearest school, religious facility, public park and playground

- Person or position responsible for addressing complaints and concerns:

Initial and date the following issues to indicate your establishment will comply with the operating standards for alcoholic beverage sales in the Town of Loomis (13.42.050)

- _____ No consumption at an off-sale liquor establishment (if applicable)
- _____ Employee Training within 90 days
- _____ Graffiti removal within 72 hours
- _____ Comply with all applicable laws, rules and regulations
- _____ Comply with Noise requirements of Town
- _____ Will not create or allow a public or private nuisance
- _____ Will operate to minimize congregation of individuals, loud noise, violence, on-site drunkenness, public urination, solicitation, loitering, and littering
- _____ Will post copy of land use permit for alcohol sales
- _____ Will locate telephones for off-sale establishments as requested by Sheriff
- _____ Will provide litter and trash receptacles at convenient locations, with daily removal

I acknowledge that I have read the Town of Loomis Zoning Ordinance, Section 13.42.050, and that I understand fully the terms and conditions of the permit and agree to abide fully by all the conditions.

Print Applicant's Name: _____ **Date:** _____

Sign Applicant's Name: _____ **Date:** _____

Additions to mitigate conditions of land use impacts: _____

Planning Department Approval by:

_____ **Date:** _____

Issue Date: _____

13.42.050 - Alcoholic beverage sales.

A. **Purpose.** The town wishes to pay special attention to establishments that sell alcohol because of their potential to create problems including littering, loitering, public intoxication and disturbances. At the same time, the town wishes to avoid imposing unduly burdensome requirements on local businesses by requiring commission or council approval of these uses.

B. **Permit Requirement.** The owner of an on- or off-sale liquor establishment shall obtain an alcoholic beverage permit from the planning director prior to commencing operations. This permit requirement shall not apply to liquor establishments in existence or those with all required land use approvals as of August 10, 2001, until such time as these establishments come under new ownership. However, a permit holder who is not grandfathered and is issued a different type of liquor license thereafter, shall file a supplemental land use application, and their permit shall be subject to additional land use conditions at the discretion of the planning director.

C. **Location Requirements.**

1. **Off-Sale.** An off-sale liquor establishment shall be separated by a minimum of five hundred feet from all schools, religious facilities, public parks and playgrounds.

2. **On-Sale.** An on-sale liquor establishment shall be separated by a minimum of three hundred feet from all schools, religious facilities, public parks and playgrounds with the exception of Blue Anchor Park where no separation shall be required.

a. The planning commission may grant exemptions from the three-hundred-foot separation requirement for on-site sales on a case by case basis, if the planning commission finds that granting the exemption would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity. In approving the exemption, the Planning Commission may impose reasonable conditions to ensure compliance with this finding.

b. The procedure for granting exemption shall be the same as in Section 13.64.070, but only approved by the planning commission.

3. The distance shall be measured between the nearest point of the grounds, in use as part of a school, religious facility, public park or playground, and the primary public entrance of the liquor establishment, along the shortest route intended and available for public passage.

D. **Operating Standards.** Each on- or off-sale liquor establishment shall comply with all of the following standards at all times.

1. **Complaints.** The owner shall designate him or herself, or one or more persons responsible for addressing complaints about operations and maintenance, and for responding to concerns of adjacent property owners and other members of the community. Each liquor establishment shall have a phone directory public telephone listing. Written notice of the designated person shall be on file with the town at all times.

2. **Consumption.** No alcoholic beverages shall be consumed on the premises of an off-sale liquor establishment that is not also an on-site liquor establishment.

3. **Employee Training.** All servers should, within ninety days of employment, complete an approved course in responsible beverage service training, including a review of pertinent state laws such as Alcoholic Beverage Control (ABC) and Penal Code provisions dealing with sale

to minors; the effects of alcohol on people, including the impairment of driving skills; and methods of dealing with intoxicated customers and recognizing minors.

4. **Graffiti.** The owner or operator shall eliminate graffiti within seventy-two hours of notification by the town.
5. **Laws.** The establishment shall be maintained and operated in a manner that complies with all applicable laws, rules, and regulations.
6. **Noise.** Noise generated by the establishment shall not exceed sixty dBA at the property line if the abutting property is in a residential zoning district or occupied by a residential use, or sixty-five dBA at the property line if the abutting property is in a nonresidential zoning district or is occupied by a nonresidential use.
7. **Nuisance.** The establishment shall be maintained and operated in a manner that does not create or allow a public or private nuisance.
8. **Operation.** The establishment shall be maintained and operated in a manner that minimizes the congregation of individuals, loud noise, violence, on-site drunkenness, public urination, solicitation, loitering, and littering.
9. **Permit Posting.** A copy of the permit for alcohol sales shall be posted on the premises in a conspicuous place where it may be readily viewed by the public.
10. **Telephones.** Each public telephone located on an off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone, if requested by the chief of police.
11. **Trash.** Off-sale liquor establishments shall have litter and trash receptacles at convenient locations inside and outside the premises, and the operators shall remove trash and debris on a daily basis to an enclosed trash receptacle.

E. **Conditions of Approval.** In addition to ensuring compliance with the operating standards in subsection D, the director is assigned the discretion to impose conditions on permits for alcohol sales that are reasonably calculated to mitigate adverse land use impacts that may otherwise occur as a result of operating a particular liquor establishment.

F. **Permit Issuance.** The director shall either approve or disapprove a permit for alcohol sales within ten days if the application for alcohol sales is deemed complete, and all other required permits by the town have been approved. The director or town staff shall inform the applicant as soon as possible of any information missing from the application. If the applicant has requested an exemption from the separation requirement pursuant to subsection (C)(2), the ten-day period will begin following final action by the planning commission. If the planning commission's decision is appealed, the ten-day period will begin following final action on the appeal by the town council.

G. **Revocation.** Except as otherwise provided by this section, a permit for alcohol sales may be revoked in the same manner as a use permit, for failure to comply with the standards in this section or any conditions of approval. As part of the revocation proceedings, the planning commission may issue a warning, suspend a permit for a specified amount of time, or permanently revoke the permit, based on the seriousness of the underlying misconduct and the applicant's apparent ability to operate the establishment in compliance with applicable standards and conditions in the future. The commission shall make written findings in support of its decision.

H. **Appeal.** The director's decision may be appealed to the planning commission within ten days of the decision. A planning commission decision may be appealed to the council in the same manner, and under the same circumstances, as an appeal of a decision to revoke a use permit. (Ord. 273 § 1, 2017; Ord. 205 § 1 (Exh. A), 2003)