

Business of the City Council
City of Ruston, WA

**Subject: Ordinance #1585 – Limiting
the Hours of Sale of Liquor
By Amending RMC 9.02.010**

Dept. Origin: Council
**Prepared by: Jennifer Robertson,
Randi Shaffer
City Attorney's Office**
For Agenda of: December 3, 2024
Exhibits: None

Proposed Council Action:

**This matter is on for Third Reading
And Action.**

	Initial & Date
Concurred by Mayor:	_____
Approved/form by City Atty:	<u>10-25-24/JSR</u>
Approved by City Engineer:	_____
Approved by Department Head:	_____

INFORMATION / BACKGROUND

The City of Ruston has experienced increased incidents and community reports related to public intoxication, leading to disruptions of the peace, offenses including public urination and fighting, damage to personal property, littering, and driving under the influence. In order to curb the occurrences of public intoxication, the City wishes to adjust the hours of operation for licensed establishments selling alcohol for on-premises consumption, and limit the hours of liquor sales in general, citywide. Decreasing the hours of availability of liquor will decrease the impact of public intoxication on the larger community, leading to increased quiet and safety throughout the City.

This Ordinance authorizes the City to limit the hours of liquor sales from 6:00 a.m. to 12:00 p.m. on all days, across all establishments in the City that possess a license to sell liquor, beer, or wine. The Ordinance also establishes operating hours between 6:00 a.m. to 1 a.m. for all establishments (or portions thereof) that serve alcohol for on-premises consumption.

Changes to this Ordinance since First Reading. Per the Council discussion at the October 1st Council meeting, the draft legislation has been modified as set forth below.

1. *Sales Hours.* Liquor sales hours set in subsection “a” have been changed to allow earlier service. If adopted, these hours would be 6 AM to Midnight daily. In addition, it was clarified that these hours also apply to on-premise consumption of liquor.
2. *Open Hours.* The “open hours” in subsection “b” have been changed to recognize that some establishments may have areas where liquor is not necessarily consumed and therefore, the ordinance only requires the areas where liquor is consumed to be closed.

3. *Special Exceptions.* The last sentence of subsection “b” which allows the Council to pass resolutions to extend closing times when the next day is legal holiday has been stricken as redundant due to the fact that the hours as proposed are now consistent without regard to weekends or holidays.
4. *Sunset Clause.* A Sunset Clause terminating the new legislation on November 16, 2025 has been added at Section 3. If the Council does not want to automatically sunset the legislation, a motion to adopt the ordinance with Section 3 stricken would be appropriate.
5. *Review Clause.* A clause directing the City Clerk to bring this issue back to Council next October has been added at Section 4. This will allow the Council to discuss how this legislation is working and give direction to staff with any requested changes or if the Council wants to extend the legislation beyond the Sunset Date.

FISCAL IMPACT

There is no direct fiscal impact of adopting this ordinance.

RECOMMENDATION / MOTION

This matter is on for Third Reading and Action.

MOTION: I move approval of Ordinance No. 1585 limiting the hours of sale of liquor by amending Ruston Municipal Code Section 9.02.010; providing for severability and corrections; and establishing an effective date.

ORDINANCE NO. 1585

**AN ORDINANCE OF THE CITY OF RUSTON,
LIMITING THE HOURS OF SALE OF LIQUOR BY
AMENDING RUSTON MUNICIPAL CODE SECTION
9.02.010; PROVIDING FOR SEVERABILITY AND
CORRECTIONS; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the City of Ruston has experienced an increase in incidents related to public intoxication, leading to disruptions of the public peace, offenses of public urination and assault, damage to property, littering, driving under the influence, speeding, and general disregard for other local laws; and

WHEREAS the City desires to limit the sale and consumption of liquor at establishments throughout the City to reduce the effects of public intoxication on the larger community; and

WHEREAS, the City is authorized, pursuant to RCW 66.08.120 and WAC 314-11-070, to fix later opening or closing hours for premises licensed to sell or serve liquor within the jurisdiction, and

WHEREAS, the City finds it is in the public interest, health, and safety to reduce the impacts of public intoxication on the community; and

WHEREAS, the Ruston City Council finds that the passage of this Ordinance supports and furthers the interest in the public health, safety and welfare; and

WHEREAS, the Ruston City Council held first reading of this Ordinance on October 1, 2024; and

WHEREAS, the Ordinance was updated based on Council input on October 1, 2024; and

WHEREAS, the Ruston City Council held second reading of the updated Ordinance on October 15, 2024; and

WHEREAS, the Ruston City Council held third reading of the Ordinance on December 3, 2024 and adopted this Ordinance at Third Reading; **NOW, THEREFORE**,

THE CITY COUNCIL OF THE CITY OF RUSTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. The findings and recitals set forth above are hereby adopted and incorporated herein by this reference.

Section 2. Section 9.02.010 of the Ruston Municipal Code is hereby amended to read as follows:

9.02.010 – Hours of sale of liquor.

- (a) Pursuant to rules of the Washington State Liquor Board, it shall be lawful for duly licensed taverns and cocktail lounges, retailers, grocery stores, gas stations, or other businesses having a license to sell, or to allow the on-premises consumption of, alcohol, spirits, wine, and beer, situated in the ~~Town~~City of Ruston to sell alcoholic beverages, ~~from 12:00 midnight to 2:00 a.m. and from 10:00 6:00 a.m. until 12:00 midnight on Sundays, and from 12:00 midnight to 2:00 a.m., and from 6:00 a.m. until 12:00 midnight on all other days,~~ to the extent authorized by said rules.
- (b) Except as provided in Section 9.02.010(a), all places, or portions thereof, where wine, beer, or intoxicating liquors are sold for consumption on the premises shall be closed to the public from 1:00 a.m. to 6:00 a.m.~~1:00 a.m. to 6:00 p.m.~~ ~~Provided, that the Council of the Town of Ruston may, by motion or resolution, extend the time of closing for one hour when the next day is a legal holiday.~~

Section 3. Sunset of Legislation. Unless the City Council passes an ordinance extending or amending this Ordinance No. 1585, this Ordinance shall expire and no longer be in effect as of November 16, 2025, at 6:00 AM.

Section 4. Direction to Clerk. The Clerk is directed place “liquor sales hours” onto the City Council agenda no later than at the first Regular City Council Meeting in of October 2025 for Council review and direction.

Section 5. Severability. If any section, sentence clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 7. Corrections. Upon the approval of the city attorney, and/or the city clerk, the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance number, section/subsection, and any reference thereto.

Section 8. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City council of the City of Ruston and attested by the City Clerk in authentication of such passage on this ____ day of _____, 2024.


APPROVED by the Mayor this ____ day of _____, 2024.

Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

Mario A. Ortega, Jr. City Clerk

APPROVED AS TO FORM:


Jennifer S. Robertson, City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO.: 1585