

ORDINANCE 11-21-00-01
AN ORDINANCE AMENDING ORDINANCE 06-21-88-01

Section I. Purpose. The purpose of this ordinance is to further the stated purposes of Ordinance 06-21-88-1 (An Ordinance Providing for Local Review of Liquor Control License, Beer Permit and Wine Permit Applications) by expanding local review of liquor control license, beer permit and wine permit applications, to renewal applications.

Section II. Amendments.

A. Section II, Paragraph A, is amended to read:

“A. It shall be the responsibility of the applicant for a liquor control license, beer permit or wine permit, or a renewal of any of these, to obtain the appropriate application from the County Auditor. The application must be submitted to the county sheriff and secondly, to the county attorney, prior to submission to the Board of Supervisors. The county sheriff and the county attorney must each make an investigation to determine if the applicant is of good moral character as defined in Section 123.3(26) of the Iowa Code, and recommend in writing approval or disapproval of the application. With regard to a renewal application, that investigation shall include any relevant information about prior operations under the license or permit.”

B. Section III is amended to read:

“Section III. Requirements for Premises. An applicant for a liquor control license, beer permit or wine permit, or a renewal of any of these, as a further condition for approval by the Board of Supervisors, must give consent in writing on the application that members of the fire, sheriff, and health departments, and the county attorney and the zoning administrator may enter upon the premises without a warrant to inspect for violations of the provisions of state law or local ordinances and regulations.”

Section III. Repealer. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Savings Clause. If any section, provision, or part of this ordinance shall be adjudged invalid, illegal or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid, illegal or unconstitutional.

Section V. Effective Date. This ordinance shall be in effect after its final passage and publication as part of the proceedings of the Board of Supervisors.

On November 9, 2000, **motion** by Lehman, second by Thompson, to approve the proposed amendment to Ordinance 06-21-88-01 on first consideration. Roll call: aye: Lehman, Jordahl, Stutsman, Thompson, Duffy.

On November 14, 2000, **motion** by Thompson, second by Jordahl, to approve the proposed amendment to Ordinance 06-21-88-01 on second consideration. Roll call: aye: Lehman, Jordahl, Thompson, Duffy; absent: Stutsman.

Motion by Jordahl, second by Thompson, to approve the proposed amendment to Ordinance 06-21-88-01 on final consideration and approve Ordinance 11-21-00-01. Roll call: aye: Lehman, Jordahl, Stutsman, Thompson, Duffy.

Dates of Publication: Iowa City *Press-Citizen*: December 6, 2000
Solon *Economist*: December 6, 2000
The North Liberty *Leader*: December 6, 2000
Lone Tree *Reporter*: December 7, 2000

/s/Sally Stutsman, Chair, Board of Supervisors

Attest: Tom Slockett, Auditor