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**BEFORE THE MAYOR AND CITY COUNCIL  
FOR THE CITY OF ALBION, IDAHO**

**ORDINANCE No. 2023-08-01**

**AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 3, CHAPTER 6, SECTION 5(A) AND 5(B), TO REQUIRE OBTAINING CASSIA COUNTY SHERIFF'S OFFICE RECOMMENDATION OF APPROVAL BEFORE FILING CATERING PERMIT APPLICATION WITH THE CITY OF ALBION; RENUMBERING SUBSECTIONS 6 AND 7 AS NEW 7 AND 8; AND AMENDING SECTION 5(B) TO PROVIDE THAT CITY CLERK'S OFFICE WILL INVESTIGATE AN APPLICATION TO THE EXTENT NECESSARY TO DETERMINE IF APPLICANT IS QUALIFIED TO RECEIVE CATERING PERMIT; SEVERABILITY; REPEAL OF CONFLICTING PROVISIONS; AND EFFECTIVE DATE.**

**WHEREAS,** the Mayor and City Council conduct regular review of City ordinances and policies; and

**WHEREAS,** the City determined to review the City's Alcohol Beverage Catering Permit regulations; and

**WHEREAS,** the City seeks to make the application process more efficient for those seeking a catering permit.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

**Section 1.** That Title 3, Chapter 6, Section 5(A) and 5(B) be amended as set forth in Exhibit A, which is attached hereto and is incorporated by reference as though fully set forth herein, which Exhibit A consists of one (1) page.

**Section 2.** The provisions of this ordinance are severable, therefore, should any section or portion thereof be declared invalid by a court of competent jurisdiction, the remaining portions of this ordinance shall continue in full force and effect.

**Section 3.** This ordinance specifically repeals any ordinance of the City of Albion that is in conflict herewith.

**Section 4.** This ordinance shall take effect, and be in full force, from and after its required reading, passage, approval and publication.

**Section 5.** The members of the City Council, by motion and vote and pursuant to Idaho Code ' 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

**PASSED** this 1<sup>st</sup> day of August, 2023, by the City Council of the City of Albion, Idaho. Roll call vote of Council members in favor of said Ordinance being as follows:

Kevin Lloyd	Yea_____	Nay_____
Dallan Doc Carlson	Yea_____	Nay_____
Wayne Winder	Yea_____	Nay_____
Tyson Tolman	Yea_____	Nay_____

**APPROVED** this 1<sup>st</sup> day of August, 2023, by the Mayor of the City of Albion, Idaho.

**City of Albion, Idaho**

**ATTEST:**

By: \_\_\_\_\_  
Isaac Loveland, Mayor

\_\_\_\_\_  
Linda Hutchison, City Clerk

CLERK'S CERTIFICATION

I, Linda Hutchison, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2023-08-01, adopted by the Mayor and City Council of Albion, Idaho, on the 1<sup>st</sup> day of August, 2023 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 1<sup>st</sup> day of August, 2023.

Clerk of the City of Albion, Idaho

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Linda Hutchison, Clerk

3-6-5: **APPLICATION:** Applications for such permits shall be made to the City Clerk of the City of Albion, on such form as prescribed by the City.

- A. The application for a catering permit shall contain a minimum, but not limited to, the following information:
1. The name and address of the applicant and the number of the applicant's state liquor, beer or wine license.
  2. The dates and hours during which the original catering permit is to be effective, not to exceed five (5) consecutive days.
  3. The names of the organizations, groups or persons sponsoring the event.
  4. The address at which the liquor, beer or wine is to be served, and if a public building, the room(s) in which the liquor, beer or wine is to be served.
  5. Any additional information that may be requested by the Cassia County Sheriff's office.
  6. Signature of an authorized representative of the Cassia County Sheriff's Office, that upon review, Applicant is recommended for approval of a catering permit at the address and premises designated in the application.
  67. Any additional information requested by the governing body or its designee in considering the approval or denial of such application.
  78. The application shall be verified by the applicant and shall be filed with the City Clerk's Office.
- B. Upon receipt of the application for a catering permit, the City Clerk's Office shall ~~will~~ cause the application to be forwarded to the Cassia County Sheriff's Office for initial review. ~~In addition, the City Clerk's Office shall~~ cause an investigation to be made to the extent necessary to determine whether the applicant is qualified to receive a catering permit.