

AN ORDINANCE AMENDING TITLE V, CHAPTER 110, ARTICLE 3, SECTION 5.110.3900, OF THE CITY OF GLADSTONE, MISSOURI, MUNICIPAL CODE REGARDING THE ISSUANCE OF PERMITS FOR PERSONS EMPLOYED IN THE RETAIL SALE BY THE DRINK OF ALCOHOLIC BEVERAGES.

WHEREAS, Section 5.110.3900 of the Municipal Code (“Code”) of the City of Gladstone, Missouri, includes requirements regarding permits for persons employed in the retail sale by the drink of alcoholic beverages; and

WHEREAS, the City Council desires to amend said provisions of the Code to modify the requirements for the issuance and the usage of such permits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI AS FOLLOWS:

Section 1. That Section 5.110.3900 of the Code be amended to read as follows:

Section 5.110.3900. – Employee Permits.

- (a) All persons employed in the retail sale by the drink of alcoholic beverages or packaged alcoholic beverages must procure a permit to do so. To procure such a permit, each applicant shall submit an “Intent to Hire” form, must be fingerprinted by the director or present a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application, submit to a photograph, complete an application form, and prove himself/herself to be a person of good moral character. On application, each applicant shall pay the sum of \$15.00 and shall be given a temporary card which will be good for a period not less than 30 days and may be extended to cover the period of time necessary for detailed investigation. On or before the expiration date of such temporary card, if the applicant meets the applicable requirements of the city and state, then such applicant will be given a permit card valid for three years from the date of the original application.
- (b) Upon the expiration of the permit card, the applicant may procure a new permit card in the same manner as before except no fingerprints will be required when and if a set of classified fingerprints of the applicant are in the files of the director. The applicant must produce a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application and submit to a photograph. All permit cards shall bear a description of the applicant, identifying information (Missouri identification number, date of birth, and address) and photograph and shall be laminated to prevent alteration.

- (c) If any permitted employee shall be found guilty of violating or contributing to the violation of any of the provisions of this chapter, or is convicted of any crime, such employee's permit card shall be subject to suspension or revocation; provided such permitted employee shall be given a hearing in the same manner as other license holders under this chapter.
- (d) It shall be unlawful for any licensee of any retail establishment to have in such licensee's employ, for the purpose of selling or assisting in the sale or delivery of alcoholic beverages, any person who does not have a permit card.
- (e) Individuals in possession of a valid permit to dispense alcohol may utilize the permit to sell alcohol by the drink or packaged alcohol at a different employer provided the employer has a valid license to sell alcohol by the drink or packaged alcohol, the individual submits the required "Intent to Hire" form from the new employer with a Missouri Criminal History report dated within the last 30 days of submission to the Director of Public Safety. No additional fee will be required.

Section 2. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.


Section 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 26th DAY OF MAY, 2020.



Mayor Carol J. Suter

ATTEST:



Ruth E. Bocchino, City Clerk

First Reading: May 26, 2020

Second Reading: May 26, 2020



Request for Council Action

RES # City Clerk Only

BILL # 20-16

ORD # 4.516

Date: 5/18/2020

Department: Public Safety

Meeting Date Requested: 5/26/2020

Public Hearing: Yes Date: [Click here to enter a date.](#)

Subject: Amending Section 5.110.3900 of City Ordinances regarding employee liquor permits

Background: City ordinance requires the Director of Public Safety to obtain fingerprints for criminal history background checks on applicants for liquor (server) permits. The proposed amendment removes this requirement in lieu of the applicant submitting a recent (within 30 days of application) criminal history report with application. The proposed amendment addresses permit requirements for applicants with more than one employer during the time the permit is valid as well as requiring permit for both sale of alcohol by the drink and packaged liquor.

Budget Discussion: Funds are budgeted in the amount of \$ from the Fund. Ongoing costs are estimated to be \$ annually. Previous years' funding was \$

Public/Board/Staff Input: N/A

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Department Director/Administrator
Chief Michael J. Hasty
Director of Public Safety

City Attorney

SW
City Manager

Additions of language to code sections shown below with underline; deletions of language shown in ~~strikethrough~~:

Sec. 5.110.3900. - Employee permits.

- (a) All persons employed in the retail sale by the drink of alcoholic beverages must procure a permit to do so. To procure such a permit, each applicant shall submit an "Intent to Hire" form, must be fingerprinted by the director, and or present a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application, furnish to the director an identifying submit to a photograph, in duplicate, complete an application form, and prove himself/herself to be a person of good moral character. On application, each applicant shall pay the sum of \$15.00 and shall be given a temporary card which will be good for a period of not less than 30 days and may be extended to cover the period of time necessary for detailed investigation. On or before the expiration date of such temporary card, if the applicant meets the applicable requirements of the city and state, then such applicant will be given a permit card ~~good~~ valid for three years from the date of the original application.
- (b) Upon the expiration of the permit card, the applicant may procure a new permit card in the same manner as before except no fingerprints will be required when and if a set of classified fingerprints of the applicant are in the files of the director. The applicant must produce a valid, Missouri state-issued identification with a Missouri Criminal History report dated within the last 30 days of application and submit to a photograph. All permit cards shall bear a description of the applicant, identifying information (Missouri identification number, date of birth, and address) thumbprint and photograph and shall be laminated to prevent alteration.
- (c) If any permitted employee shall be found guilty of violating or contributing to the violation of any of the provisions of this chapter, or is convicted of any crime, such employee's permit card shall be subject to suspension or revocation; provided such permitted employee shall be given a hearing in the same manner as other license holders under this chapter.
- (d) It shall be unlawful for any licensee of any retail establishment to have in such licensee's employ, for the purpose of selling or assisting in the sale or delivery of alcoholic beverages, any person who does not have a permit card.
- (e) Individuals in possession of a valid permit to dispense alcohol may utilize the permit to sell alcohol by the drink or packaged alcohol at a different employer provided the employer has a valid license to sell alcohol by the drink or packaged alcohol, the individual submits the required "Intent to Hire" form from the new employer with a Missouri Criminal History report dated within the last 30 days of submission to the Director of Public Safety. No additional fee will be required.