BILL 2014-10

****** Second Reading ******

Agenda Item

TO: Mayor and City Council

FROM: Barbara O'Connor, City Clerk/Finance Clerk

DATE: February 13, 2014

RE: Alcoholic Beverage License Background Check

Issues

The Cameron Police Department is no longer allowed to assist with the liquor license application process by providing criminal background checks on liquor license applicants.

In order to perform our due diligence regarding the liquor licensing process, Staff recommends the liquor license application be amended requiring the applicant to provide a copy of the applicant's criminal history record information from the Missouri State Highway Patrol, Criminal Records Division. City Attorney Elliott has reviewed the bill language and his recommended changes were made to the final draft.

Recommendation

Staff recommends that the Council approve the Bill 2014-10 on first reading. The bill changes the City of Cameron Code and requires three (3) readings.

Bill 2014-10

AN ORDINANCE FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, REPEALING AND REPLACING SEC. 6-144. APPLICATION CONTENTS OF ARTICLE V, ALCOHOLIC BEVERAGES, CHAPTER 6, LICENSE AND BUSINESS REGULATIONS OF THE CAMERON CITY CODE

Whereas, it is necessary and prudent for the City of Cameron to have pertinent information available when approving liquor license applications granted within the corporate city limits; and

Whereas, the Cameron Police Department is no longer allowed to assist with the application process by providing criminal background checks on liquor license applicants; and

Whereas, Staff recommends the application be amended requiring the applicant to provide a copy of the applicant's criminal history record information from the Missouri State Highway Patrol, Criminal Records Division.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS:

Section 1. Repealing Sec. 6-144. Application Contents of Article V, Alcoholic Beverages, Chapter 6, License And Business Regulations, and replacing it with a new Sec. 6-144 as follows:

> **Sec. 6-144. Application contents.**
> The applicant for a license required by this division shall file with the council a verified and acknowledged petition for a license, on a form to be furnished by the city clerk, setting forth the following:
>
> (a) Full name; age; residence; place of birth; if a naturalized citizen, the time and place of naturalization; the length of time the applicant has resided at the residence stated; whether he is a registered voter and assessed taxpaying citizen at the residence stated; a copy of applicant's criminal history record information from the Missouri State Highway Patrol, Criminal Records Division; whether or not applicant has ever been convicted of a felony or a violation of any law regulating, controlling or prohibiting the sale of intoxicating liquor; whether or not applicant has ever been engaged in the manufacture or sale or distribution of intoxicating liquor or malt liquor, and, if so, when, where and the nature of the business. If the applicant is a corporation, the petition shall set forth all of the information required in this subsection with respect to its managing officer of the proposed establishment, identifying such

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officer and further stating the corporate name, the date and state of incorporation and the five (5) largest stockholders with their addresses and the percentage of stock held by each;

(b) Whether or not any distiller, wholesaler, wine maker, brewer or any employee, officer or agent of any such person has any financial interest or proposes to have any financial interest in the retail business for the sale of intoxicating liquor or malt liquor for which such applicant applied for a license; whether or not any such person, either directly or indirectly, has loaned, given or furnished or will give, loan or furnish any equipment, money, credit or property of any kind to such applicant except ordinary commercial credit for liquor sold to such applicant; and the names of all persons, directly or indirectly, financially interested in the proposed business of the applicant;

(c) The exact location of the place or premises where the applicant proposes to engage in such retail liquor business, including the street address of the premises, the name and address of the owner of record of the premises and the land upon which the building is situated and the correct legal description of the premises;

(d) The kind of business which the applicant proposes to conduct in such premises, particularly stating the hours which the applicant plans to keep his/her place open for business of any kind;

(e) Such other and additional information as the city clerk may require.

Section 2. The Mayor is authorized to sign this Ordinance on behalf of the City of Cameron.

Section 3. The City Clerk is directed to attest the Mayor's signature.

Section 4. This Ordinance shall be in full force and effect from and after the date of its final passage and approval.

Passed and approved on first reading this 19th day of February 2014.
Passed and approved on second reading this 3rd day of March 2014.
Passed and approved on third and final reading this _____ day of _____ 2014.

_____
Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

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