Sec. 14-42. - Point values for alcohol beverage license, outdoor consumption permit, and cabaret license violations, revocations and suspensions.

(a) *Purpose.* The purposes of this section are to require the public safety committee to initiate nonrenewal, revocation or suspension proceedings under certain conditions, and to specify the minimum suspension that shall be imposed under certain conditions. Nothing in this section is intended to limit or modify the city's authority to refuse to renew, suspend or revoke any license under this chapter, or to require the city to apply the point schedule for any purpose other than those purposes expressly provided for in this section.

(b) *Point schedule.*

(1) The point schedule is as follows:

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Code Section	Type of Violation	Point Value
14-461	Failure to be Licensed	100
14-33	Traffic to Underage Person	50
14-33	Traffic to Intoxicated Person	50
14-33	Underage Person on Premises	50
14-33	Failure to Keep Proper Book	25
14-33	Corporation and Agent Responsibility Violations	25
14-33	On-Premises Consumption—Class A	50
14-33	Unlawful Quantities on Containers	25
14-33	Wholesalers Restrictions	50
14-36(a)	False Statement on Application	50
14-37	Transfer of License Without Permission	50
14-40(b)	Sale or Dispensing in Building Off Premises	25
14-40(c)	Failure to Post License	50
14-40(e)	Gambling	100
14-40(f)	Operator's License Required	50
14-40(f)	No Licensed Bartender	50
14-40(g)	Search of Licensed Premises	100
14-40(h)(1)	Open After Hours	50
14-40(h)(1)	After Hours Consumption—Class B	50
14-40(h)(2)	Commercial Janitorial Service	25
14-40(h)(2)	Prior Police Approval Required	25
14-40(j)	Licensed Premises to be Sanitary	25
14-40(j)	Leaving with Open Container	25
14-40(k)(4)	Orderly Conduct Required	50
14-40(k)(6)a	Outdoor Consumption Prohibited Without Permit	50

14-40(k)(6)b	Violations of outdoor permit restrictions - Amplified sound or music	50
14-40(k)(6)b	Violations of outdoor permit restrictions - Open After Hours	50
14-40(k)(6)b	Violations of outdoor permit restrictions - Other Permit Restrictions	50
14-40(l)	Closing hours	50
14-40(m)	No Carryout After Hours	25
14-45	Nude Dancing in Licensed Establishment Prohibited	50
50-5(c)	Noises Disturbing the Public	50
	Any other nonenumerated violation of this article	25

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(2) In construing the number of points to be assessed for an alleged violation, it is the ordinance section number rather than the type of violation which shall control.

(c) *Violations, how calculated.* In determining the accumulated demerit points against a license or permit within a specified period, the city shall use the date each violation was committed as the basis for the determination. A conviction for a violation is not necessary to assign points. That decision is made by the chief of police or his designee based on his analysis of the violation.

(d) *Suspension or revocation of license or permit.*

(1) The public safety committee shall initiate nonrenewal, suspension or revocation proceedings for any licensee who has been found guilty, by a court having jurisdiction, of one or more violations occurring during any 12-month period, which total 100 points or more.

(2) If the demerit point accumulation calculated from the date of violation meets or exceeds 100 points in a 12-month period, 150 points in a 24-month period or 200 points in a 36-month period, the licensee shall be suspended for not less than three days, or the license shall be revoked. If the license or permit is revoked, no other license or permit shall be granted to such licensee or for such premises for a period of 12 months from the date of revocation. The point accumulation totals in this subsection shall be cumulative, so that a previous offense within the relevant time period shall be considered regardless of whether such previous offense resulted in a prior suspension or other penalty.

(Code 1986, § 12.03(10); Ord. No. 0-28-05, § 1, 8-23-2005; Ord. No. 0-08-06, § 1, 1-24-2006; Ord. No. 0-24-07, § 1, 8-14-2007; Ord. No. 0-02-08, § 1, 1-8-2008; Ord. No. 0-6-08, § 2-26-2008; Ord. No. 0-24-08, § 2, 10-28-2008; Ord. No. 0-7-2011, § 4, 2-23-2011; Ord. No. 0-11-2021, § 1, 4-13-2021)