



City of Nampa  
Alcohol Review Committee  
Nampa City Hall - Council Chambers  
September 29, 2021  
3:00 PM

## Call to Order

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### (1) New Business

- 1-1. **Action Item:** Approve August 25, 2021 meeting minutes
- 1-2. **Action Item:** Review of meeting with Nampa liquor license holders
- 1-3. **Action Item:** Update on October 5, 2021 training provided by Idaho Alcohol Beverage Control for liquor license holders
- 1-4. **Action Item:** Discussion of Nampa City Code 5-12-17 – Addition of approved server training requirement
- 1-5. **Action Item:** Discussion of Nampa City Code 5-12-17 – Penalties for serving without a city license

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## Adjourn

- ◆ If you would like to participate virtually, please email the clerk's office at [clerks@cityofnampa.us](mailto:clerks@cityofnampa.us) prior to the meeting, please provide your name, address and we will email a link to join the meeting.
- ◆ Individuals, who require language interpretation or special assistance to accommodate physical, vision, hearing impairments, please contact the City Clerk's Office at Nampa City Hall, (208) 468-5426. Requests should be made at least five (5) days prior to the meeting to allow time to arrange accommodation.

**CITY OF NAMPA**  
**ALCOHOL LICENSE REVIEW COMMITTEE**  
**City Hall – Council Chambers**  
**August 25, 2021**

Chairman Lieutenant Jamie Burns called the meeting to order at 3:00 p.m.

Committee Member Rosin took roll with the following committee members in attendance Chief of Staff Rick Hogaboam, Lieutenant Jamie Burns, City Clerk Deborah Rosin, Planning and Zoning Director Rodney Ashby. Building Safety Director Patrick Sullivan absent.

Also in attendance was City Attorney Joe Borton.

❖ **(1) New Business** ❖

**Item #1-1.** - Chairman Burns presented the request to **approve the ARC Minutes of July 28, 2021.**

**MOVED** by Sullivan and **SECONDED** by Hogaboam to **approve the ARC Minutes of June 30, 2021.** The Chairman asked for a roll call vote with all Committee Members present voting **YES.** The Chairman declared the

**MOTION CARRIED**

**Item #1-2.** - Chairman Burns presented updates on the recent points violations:

- Firehouse Sports Pub, 423 East Karcher Road. They have completed all of the training for their employees. The points will be removed from their establishment.
- Getaway Bar & Grill – 512 12<sup>th</sup> Avenue Road (12:51 a.m.) and Getaway Bar & Grill – 512 12<sup>th</sup> Avenue Road (1:10 a.m.). The Getaway turned in an appeal which the clerks office did not receive within the allotted time frame. The Getaway has not made any contact with Lieutenant Burns to have the employs complete training.
- TNT Dynamite Bar & Grill – 817 E. Karcher Road. There has been no contact from TNT to have the employees do the training.

**MOVED** by Burns and **SECONDED** by Hogaboam to send out correspondence reminding the establishments TNT Dynamite Bar and Grill and the Getaway Bar & Grill that they could still get the training if they reached out within 30 days. The Chairman asked for a roll call vote with all Committee Members present voting **YES.** The Chairman declared the

**MOTION CARRIED**

**MOVED** by Burns and **SECONDED** by Sullivan to **adjourn the meeting** at 3:15 p.m. The Chairman asked all in favor say aye with all Committee Members present voting **AYE.** The Chairman declared the

**MOTION CARRIED**

Passed this 29th day of September 2021.

City of Nampa  
Alcohol License Review Committee  
August 25, 2021

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CHAIRMAN BURNS

ATTEST:

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NAMPA CITY CLERK

## ARTICLE B. SERVER TRAINING

### SECTION:

#### **3-3B-1: Definitions**

#### **3-3B-2: Approved Server Training**

#### **3-3B-3: Server Training Requirements**

#### **3-3B-4: Enforcement; Penalty**

#### **3-3B-1: DEFINITIONS:**

For the purposes of this chapter, the following terms, phrases, words and derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. Words used throughout this chapter, but not defined herein or in chapter 1, article A of this title, shall have their plain, ordinary and common meaning. Words in any gender shall apply to the feminine, masculine and neuter genders.

**ALCOHOLIC BEVERAGE:** Any beverage containing alcohol which is a product of distillation of any fermented liquor or synthetic ethyl alcohol, including beer, wine, spirits or any liquid containing beer, wine or spirits.

**APPROVED SERVER TRAINING:** A program approved by the Chief of Police as indicated in section 3-3B-2 of this article, which is designed to educate servers of alcohol on laws and rules regarding the sale and service of alcoholic beverages, the effects of alcohol on the human body, methods of identifying intoxicated persons and refusing to sell or serve alcohol to those persons, and methods for checking and identifying legal identification.

**CHIEF OF POLICE:** The Chief of the Boise City Police Department or designee.

**LICENSEE:** The person to whom a valid license to retail liquor by the drink or beer and wine by the drink is issued by the Idaho State Police. A club licensee is a "club" as defined in Idaho Code section 23-902(1) and possessing a club license as defined in Idaho Code section 23-903 on January 1, 2009.

**SERVER OF ALCOHOL:** Any person serving or selling any alcoholic beverages, including spirits, wine or beer for consumption on a licensed premises as a requirement of his or her employment, and any person managing those employees. Servers of alcohol include waiters, waitresses, bartenders and managers of waiters, waitresses and bartenders. (1952 Code § 5-07-01; amd. 2019 Code)

#### **3-3B-2: APPROVED SERVER TRAINING:**

A. All approved server training programs must include an examination component, that shall include but not be limited to, the following topics:

1. Monitoring a patron's behavior;
2. Recognizing intoxicated patrons;
3. Checking patrons' photo identifications for relevant information;
4. Recognizing false and altered photo identification;
5. Providing alternatives to alcoholic beverages;
6. Problem solving when interacting with intoxicated and belligerent patrons; and
7. Understanding and applying Idaho laws and rules pertaining to alcoholic beverages.

B. The approved server training programs are set forth on the current list maintained by the Boise Police Department and available through either the Boise Police Department or the City Clerk's Office. The Boise Police Department may change the list of approved server training programs from time to time as it deems appropriate. (Ord. 39-18, 9-25-2018)

**3-3B-3: SERVER TRAINING REQUIREMENTS:**

A. Completion Of Program Required: Unless already certified, a "server of alcohol", as defined in section 3-3B-1 of this article, must complete an approved server training program by July 1, 2009, or within sixty (60) days of the date the alcohol server begins employment at a licensed establishment and must maintain that certification throughout his or her employment as a server of alcohol.

B. Licensee Responsibility: Licensees operating establishments where alcoholic beverages are served and consumed on the premises must ensure that each server of alcohol employed on the premises is either already certified or completes an approved server training program by July 1, 2009, or within sixty (60) days of the date the server begins employment at the establishment and that each server of alcohol maintains that certification throughout his or her employment as a server of alcohol. Club licensees are required to have no less than one server of alcohol, whether employed or a volunteer, on the premises at all times to supervise the service of alcohol to members and the guests of members. Club licensees are required to ensure that all supervising servers of alcohol have completed an approved server training program by July 1, 2009, or prior to supervision the service of alcohol to members and the guests of members.

C. Records Maintained:

1. Server: Servers of alcohol must maintain records of their training and show proof of current certification upon request to officers of the Police Department or other law enforcement officers.

2. Licensee: Licensees must maintain training verification records or proof of current certification for each server employed and must present those records upon request to officers of the Police Department or other law enforcement officers. Club licensees must maintain records of training and show proof of current certification for each supervising server of alcohol and must present those records upon request to officers of the Police Department or other law enforcement officers. (1952 Code § 5-07-03)

**3-3B-4: ENFORCEMENT; PENALTY:**

A. Misdemeanor: Any person violating any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this Code. (1952 Code § 5-07-04; amd. 2019 Code)

B. Club Licensee: With the exception of club licensees, it is the City intent that this article stand alone and that violations of this article not subject licensees to the administrative procedure for suspension, revocation or refusal to renew licenses outlined in Idaho Code section 23-933. Violations of any section of this article by a club licensee shall be referred to the Alcohol Beverage Control for administrative action outlined in Idaho Code section 23-933. (1952 Code § 5-07-04)

## CHAPTER 7. - ALCOHOL SERVER CERTIFICATION

### 3-7-1. - Definitions.

*Alcoholic beverage* means any beverage containing alcohol which is a product of distillation of any fermented liquor or synthetic ethyl alcohol, including beer, wine, spirits or any liquid containing beer, wine or spirits.

*Approved server training program* means a server training program enumerated in a written administrative policy of the Chief of Police and approved by resolution of City Council.

*Certificate* means a current, valid certificate of completion issued to a server upon satisfactory completion of an approved server training program.

*Certification* means satisfactory completion of an approved server training program.

*Certified server* means a server who has satisfactorily completed an approved server training program.

*Licensee* means a person to whom a valid license to sell liquor by the drink, or beer and wine by the drink, is issued by the City of Meridian and/or the State of Idaho.

*Server* means any person serving or selling any alcoholic beverage, including spirits, wine or beer for consumption on a licensed premises and any person managing those employees. Servers shall include, but are not limited to, waiters, waitresses, bartenders, and managers of waiters, waitresses and bartenders.

(Ord. 09-1437, 12-22-2009, eff. 6-1-2010)

### 3-7-2. - Approved server training programs.

- A. Only a server training program enumerated in written administrative policy of the Chief of Police and approved by resolution of City Council shall be recognized as an approved server training program for purposes of this chapter.
- B. The Chief of Police shall approve a server training program upon a determination that such program educates participants on, and requires participants to successfully pass an examination covering, each and all of the following topics:
  1. Consistently and accurately verifying patrons' proof of age and identification;
  2. Recognizing false and altered identification documents;
  3. Understanding the effects of alcohol on the human body;
  4. Monitoring patrons' alcohol intake and/or behavior;
  5. Recognizing intoxicated persons;
  6. Methods of refusing to sell or serve alcohol to intoxicated persons;
  7. Providing alternatives to alcoholic beverages;

8. Problem solving in dealing with intoxicated and/or belligerent patrons; and
9. All state and local laws and rules pertaining to the sale and service of alcoholic beverages.

(Ord. 09-1437, 12-22-2009, eff. 6-1-2010)

### 3-7-3. - Server and licensee requirements.

- A. Any person employed or operating as a "server" as defined in this chapter shall:
  1. Complete certification within thirty (30) days of the date upon which he or she begins employment or operation as a server at a licensed establishment, and shall maintain such certification at all times of employment or operation as a server, updating such certification as necessary. Upon a server's completion of one (1) hour of work, the thirty-day time period for certification shall be calculated cumulatively, and shall be tolled only by the cessation of work for one (1) year or longer.
  2. Maintain a written record of his or her certification.
  3. Provide proof of certification to a law enforcement officer upon request.
- B. Licensees operating establishments where alcoholic beverages are served and consumed on the premises, as to each server employed or operating on the licensed premises, shall:
  1. Ensure that each server is or becomes certified as set forth in this section, and that each server maintains his or her certification throughout his or her employment or operation as a server.
  2. Maintain a copy of each server's certificate.
  3. Provide any server's certificate to a law enforcement officer upon request.

(Ord. 09-1437, 12-22-2009, eff. 6-1-2010)

### 3-7-4. - Enforcement.

- A. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of up to one thousand dollars (\$1,000.00) and/or imprisonment for up to six (6) months.
- B. The City Clerk may revoke a licensee's City of Meridian license to sell liquor by the drink, and/or license to sell beer and wine by the drink, if such licensee, or server employed by or operating on behalf of such licensee, violates any provision of this chapter. The City Clerk shall notify the licensee of such revocation in writing, and shall mail such notice to the licensee at the mailing address set forth in the license application. Such revocation shall be effective immediately upon mailing by the City Clerk. Appeal of the City Clerk's revocation of a City of Meridian license to sell liquor by the drink, and/or license to sell beer and wine by the drink may be made by the licensee. Such appeal shall be made in writing, shall be mailed to the City Clerk via U.S. mail, and

shall state the reasons for such appeal. Upon receipt of such appeal, the City Clerk shall schedule a public hearing on the appeal at a City Council meeting within fourteen (14) days. The City Council's decision on such appeal shall be a final decision.

(Ord. 09-1437, 12-22-2009, eff. 6-1-2010)