



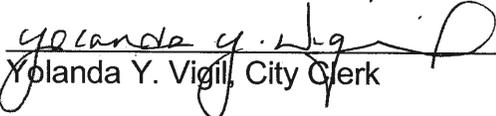
# City of Santa Fe, New Mexico

# memo

DATE: December 3, 2014

TO: Mayor Gonzales & City Councilors

VIA:   
Brian K. Snyder, City Manager

FROM:   
Yolanda Y. Vigil, City Clerk

## **ITEM & ISSUE**

Request for a Wine Growers Liquor License.

## **BACKGROUND AND SUMMARY**

New Mexico Hard Cider, LLC has requested the following:

- a) Pursuant to §60-6B-10 NMSA 1978, a request for a waiver of the 300 foot location restriction to allow the production and sale of alcoholic beverages (wine only) at New Mexico Hard Cider, 3134 Rufina Street, Unit D which is within 300 feet of Iglesia Renacer Ministerios, 1225 Parkway Drive.
- b) If the waiver of the 300 foot restriction is granted, a request from New Mexico Hard Cider, LLC for a Wine Growers Liquor License to be located at New Mexico Hard Cider, 3134 Rufina Street, Unit D.

Attached is a letter of no objection from Pastor Elio Galaviz Para, Iglesia Renacer Ministerios.

Included in your packet are staff reports regarding litter, noise and traffic. Staff does not anticipate a substantial change in litter and noise or any unacceptable traffic impacts due to the approval of this request.

Staff is recommending that it be noted that New Mexico Hard Cider is required to comply with all of the city's ordinances as a condition of doing business in the city.

## **ACTION REQUESTED**

I request that the Governing Body indicate its decision of the waiver of the 300 foot location restriction and if the waiver is granted, consideration of the issuance of a Wine Growers Liquor License to be located at New Mexico Hard Cider, 3134 Rufina Street, Unit D.

Attachments: Alcohol & Gaming Division Application  
Letter / Iglesia Renacer Ministerios  
Notice of Public Hearing  
Staff Reports  
§60-6B-10 NMSA 1978  
§60-6A-29 NMSA 1978



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • PO Box 25101 • Santa Fe, New Mexico 87505-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

November 19, 2014

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

James C. McKay
GENERAL COUNSEL

Mary Kay Root
DIRECTOR

Certified Mail No: 7013 2630 0000 9074 9966

City of Santa Fe
Attn: Yolanda Vigil, Clerk
PO Box 909
Santa Fe, NM 87504-0909

Re: License / App. No. License 0000 / A-923314
Applicant Name: New Mexico Hard Cider, LLC
Doing Business As: New Mexico Hard Cider
Proposed Location: 3134 Rufina Street Unit D Santa Fe, NM 87507



ATTENTION: Department or person responsible for conducting or preparing the
public hearing for liquor license transfers or issuance of new liquor licenses.
\*(Please review the revised instructions for approval or disapproval below.)

Greetings:

The Director of the Alcohol and Gaming Division has granted Preliminary
Approval for the referenced application and is being forwarded to you in
accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five days after receipt of a notice of preliminary approval from the
Alcohol and Gaming Division, the governing body shall hold a public hearing on
the question of whether the department should approve the proposed issuance or
transfer. Notice of the public hearing required by the Liquor Control Act shall be
given by the governing body by publishing a notice of the date, time and place of
the hearing at least once a week for two consecutive weeks in a newspaper of
general circulation within the territorial limits of the governing body, which
requires that two weeks of publication must be satisfied before a hearing can be
conducted. The notice shall include: (A) Name and address of the
Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and
Gaming Division; (C) The location of the licensed premises. The governing body
is required to send notice by certified mail to the applicant of the date, time and
place of the public hearing. The governing body may designate a hearing officer
to conduct the hearing. A record shall be made of the hearing.

The applicant is requesting the issuance of a Wine Growers Liquor License:

- Alcohol and Gaming Division (505) 476-4875
Boards and Commissions Division (505) 476-4600
Construction Industries & Manufactured Housing Division (505) 476-4700
Financial Institutions Division (505) 476-4885
Securities Division (505) 476-4580
Administrative Services Division (505) 476-4800

The governing body may disapprove the issuance or transfer of the license if:

The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the applicant/licensee has obtained a waiver from the local option district governing body for the proposed licensed premises.)

The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a zoning statement from the governing body, this is not a basis for disapproval.

The issuance would be detrimental to the public health, safety or morals of the residents of the local option district. Disapproval by the governing body on public health, safety or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

**\*Within thirty (30) days after the public hearing, the governing body shall notify the Alcohol and Gaming Division *in writing* as to whether the local governing body has approved or disapproved the issuance of transfer of the license *and* by signing the enclosed original Page 1 of the application. *The letter of approval/disapproval and the Page 1 must be returned together with the notice of publication(s).* If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the public hearing, the director may give final approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the minutes of the public hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (page 1 of the application page noting disapproval).

Sincerely,



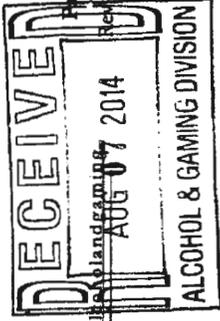
Pamela Brommer  
Hearing Officer

ENCLOSURES: Original page 1  
Copy of page 2  
Copy of Posting Certificate  
Copy of Zoning Statement



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
 PO Box 25101 - Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us

8/8/14  
 ENTERED  
 200  
 10248916  
 Page 1  
 08/13



**LIQUOR LICENSE APPLICATION**

Application fee - \$200.00 Fees are non-refundable.

State Liquor License # \_\_\_\_\_  
 Application Number 923314  
 Local option (AGD use) \_\_\_\_\_

Record Owner of Existing License

Current D/B/A Name New Mexico Hard Cider  
 Current Premises Address 3134 Rufina Unit D Santa Fe, NM 87507

Application is for: Change of Stock \_\_\_\_\_ Change of Officers/Directors \_\_\_\_\_ Transfer Ownership of Existing License \_\_\_\_\_ Transfer Ownership and Location \_\_\_\_\_ Other \_\_\_\_\_

Issue New License  Type of License being applied for WINE GROWERS Partnership (General or Limited) \_\_\_\_\_ Limited Liability Company

NAME OF APPLICANT (company or individual) New Mexico ADDRESS (including city, state, zip) 1884 Candela, Santa Fe, NM 87505 TELEPHONE NUMBER 505 231 0632  
Craig Martin Mogra Hard Cider 1884 Candela, Santa Fe, NM 87505  
Heather Fasset LLC Phone number for licensed premises: 505-231-8410  
 D/B/A name to be used: New Mexico Hard Cider

Physical location where license is to be used: 3134 Rufina Unit D Santa Fe, NM, Santa Fe County 87505  
 Mailing address: 1884 Candela, Santa Fe, NM 87505  
 (Include street number / highway number / state road, city and county, state, and zip code)

Are alcoholic beverages currently being dispensed at the proposed location? Yes \_\_\_\_\_ No  If yes, give license number and type \_\_\_\_\_

I, (print name) Craig Mogra CEO as (title) CEO being first duly sworn upon oath  
 deposes and says: that he/she is the applicant or is authorized by the applicant to make this application; that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that  
 if any statements or representations herein are found to be false, the director may refuse to issue or renew the license or may cause the license to be revoked at any time.

*must sign and date this form in the presence of a notary public.*  
 Signature of Applicant [Signature] Date 8/7/14  
 Notary Public Use Only  
 \* SUBSCRIBED AND SWORN TO before me this 14 day of August, 2014 by Craig Mogra  
 Notary Public [Signature] My Commission Expires Aug 11, 2014

Local Governing Body of: \_\_\_\_\_ (City or County). Hearing held on \_\_\_\_\_ 20 \_\_\_\_\_

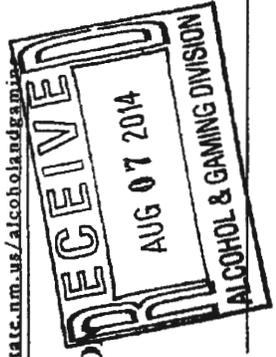
Check one: Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ City/County Official \_\_\_\_\_ (Signature & Title)

For Alcohol and Gaming Division Use Only

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Director Approval \_\_\_\_\_ Date \_\_\_\_\_



New Mexico Regulation and Licensing Department - Alcohol and Gaming Division  
PO Box 25101 • Santa Fe, New Mexico 87505-5101 • (505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming



**PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION**  
SS-60-6B-10

1. The land and building which is proposed to be the licensed premises is (check one):

Owned by Applicant \_\_\_\_\_ Leased by Applicant (attach copy of deed or lease)  Other (provide details) \_\_\_\_\_

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s) Ben Ortega & Helen Ortega

B. Date and term of lease 4/1/14 - 4/1/15

3. Premises location is zoned (example C-1) F-2

If the premises is zoned, attach zoning statement from local government giving location address and type of zone, stating whether alcoholic beverages are allowed at proposed location. If there is no zoning, attach confirmation from local government indicating there is no zoning.

4. Distance from nearest church \*(Property line of church to licensed premises—shortest distance).

Miles/feet 0.5 mi Name of church Santa Fe Christian Fellowship Address/location of church 2860 Cerrillos Rd SF, NM 87507

5. Distance from nearest school \*(Property line of school to licensed premises—shortest distance).

Miles/feet 0.9 mi Name of school Agua Fria Elementary School Address/location of school 3160 Agua Fria St SF, NM 87507

6. Distance from military installation \*(Property line of military installation to licensed premises—shortest distance).

Miles 74.8 mi Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque) White Sands Missile Range (Las Cruces), Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis).

7. Attach, on a separate sheet, the detailed floor plan for each level (floor) where alcoholic beverages will be sold or consumed. Show exterior walls, doors, and interior walls. This will be the licensed premises. The floor plan should be no larger than 8 1/2 x 11 inches, and must include the total square footage of premises.

\*If the distance is beyond 300 feet, but less than 400 feet, a registered engineer or licensed surveyor must complete a Survey Certificate showing the exact distance.

8. Type of Operation:

Lounge \_\_\_\_\_ Restaurant \_\_\_\_\_ Package Grocery \_\_\_\_\_ Racetrack \_\_\_\_\_ Hotel \_\_\_\_\_ Other (specify) Winery

ALCOHOL & GAMING DIVISION  
2550 CERRILLOS ROAD  
SANTA FE, NEW MEXICO 87505  
**POSTING CERTIFICATE**

DISPENSER (FULL SERVICE)  
 RESTAURANT (BEER/WINE ONLY)  
 CANOPY (DISPENSER-C)  
 OTHER: Wine Growers

RETAILER (PACKAGE ONLY)  
 DISPENSER (ON PREMISE ONLY)  
 INTER-LOCAL DISPENSER  
 LOTTERY

LICENSE NUMBER /APPLICATION NUMBER:

APPL. NO. A-923314

TRANSFER OF OWNERSHIP & LOCATION  
 TRANSFER OF OWNERSHIP ONLY

TRANSFER OF LOCATION ONLY  
 NEW LICENSE

TRANSFERRED FROM: \_\_\_\_\_

CURRENT LOCATION: \_\_\_\_\_

TRANSFERRED TO:/APPLICANT: New Mexico Hard Cider LLC

PROPOSED LOCATION: 3134 Rufina Unit D Santa Fe, NM 87505

PROPOSED BUSINESS NAME: New Mexico Hard Cider

I CERTIFY THAT I HAVE POSTED THE REQUIRED NOTICE OF LIQUOR LICENSE PURSUANT TO SECTION 60-6B-2, NMSA, AND FURTHER CERTIFY AS FOLLOWS:

1. LOCATION POSTED IS WITHIN CORPORATE LIMITS OF: Santa Fe
2. LOCATION POSTED IS IN UNINCORPORATED LIMITS OF: \_\_\_\_\_
3. DISTANCE FROM NEAREST CHURCH IS: 2,112 feet  
NAME OF CHURCH IS: Santa Fe Christian Fellowship
4. DISTANCE FROM NEAREST SCHOOL IS: 528 feet  
NAME OF SCHOOL IS: La Petite Academy
5. DISTANCE FROM NEAREST MILITARY INSTALLATION: 6.3.6  
NAME OF INSTALLATION IS: Kirtland AFB
6. IF RURAL, DISTANCE FROM NEAREST EXISTING LIQUOR LICENSE IS:  
BY PASSABLE ROAD: \_\_\_\_\_ BY STRAIGHT AIRLINE: \_\_\_\_\_
7. NOTICE POSTED ON:  
 BUILDING  
 BUILDING UNDER CONSTRUCTION  
 BUILDING BEING REMODELED  
 BILLBOARD  
 NO BUILDING

DATE POSTED: 16 Sept., 2014

EXPIRATION DATE: 6 Oct., 2014

APPLICANT'S SIGNATURE

PRINTED

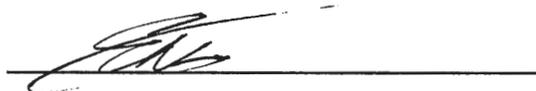
S.I.D. SPECIAL AGENT SIGNATURE

PRINTED

December 5, 2014

Mayor Javier M. Gonzales  
City Councilors

I, Elio Galaviz Parra, Pastor of Iglesia Renacer Ministerios, located at 1225 Parkway Drive, Santa Fe NM. The Iglesia is in support of New Mexico Hard Cider located at 3134 Rufina St. Unit D Santa Fe, NM and have no opposition toward their location or business.

A handwritten signature in black ink, appearing to read 'Elio Galaviz Parra', is written above a solid horizontal line.

Elio Galaviz Parra

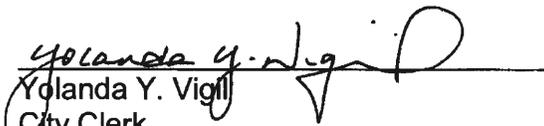
CITY OF SANTA FE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Governing Body of the City of Santa Fe will hold a public hearing on Wednesday, December 10, 2014 at its regular City Council Meeting, 7:00 p.m. session, at City Hall Council Chambers, 200 Lincoln Avenue.

The purpose of this hearing is to discuss a request from New Mexico Hard Cider, LLC for a Winegrowers Liquor License to be located at New Mexico Hard Cider, 3134 Rufina Street, Unit D, Santa Fe.

All interested citizens are invited to attend this public hearing.

  
Yolanda Y. Vigil  
City Clerk

Received by The New Mexican on

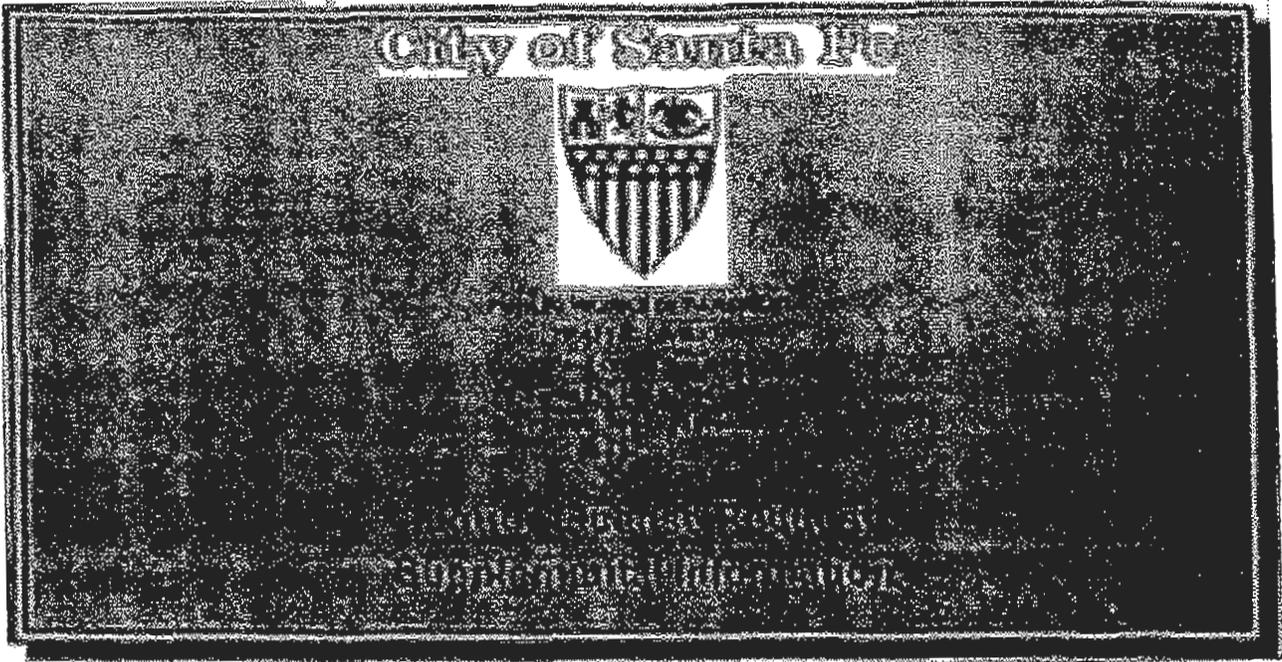
Date 11/21/14

To Be Published On 11/27/14 and

12/4/14

By [Signature]

The New Mexican (Signature)



**Instructions:**

The following information is needed regarding this request. Please type or print clearly. Complete this form and leave with the City Clerk while picking up the newspaper publication notice.

Thank you.

1. Name of owner of business Craig Meyer & Heather Tassel  
 Name of business where proposed license is to be used New Mexico Hard Cider LLC  
 Business street address 3134 Rufina Unit D Santa Fe, NM 87507  
 Telephone number 505 231 0632

2. Indicate the type of liquor license this request entails.  
 issuance of new license (indicate type: Wine growers / wholesale)  
 transfer of location of existing license (indicate type: \_\_\_\_\_)  
 transfer of ownership of existing license (location to remain the same)

3. Is this an existing business?  
 yes  
 no

4. Does the location where this license will be used currently sell liquor?  
 yes  
 no

5. If the answer to question #3 is yes, indicate the current hours of operation of the business.

If the hours of operation will change due to the sales of liquor, indicate the revised hours.

6. If this is a new business, indicate the anticipated hours of operation of the business.

8-5 Monday - Sunday

7. If the answer to question #3 is yes, indicate the anticipated change in business volume due to the sales of liquor.

Business is expected to increase (number of customers per day \_\_\_\_\_)
Business is expected to decrease (number of customers per day \_\_\_\_\_)
Business is expected to remain the same

8. If the answer to question #3 is no, indicate the number of customers anticipated per day at the business.

0

9. Estimate the number of customers per day who currently drive (or will drive) to the business versus the number who walk.

0 number of customers who drive
0 number of customers who walk

10. Has liquor ever been sold at this business site?

yes
X no

11. If the answer to question #10 is yes, indicate the name of the establishment and the year(s) that liquor sales occurred.

Name
Year(s)

12. Indicate which of the following statements best reflects your opinion regarding traffic impacts if this request is approved.

traffic can be expected to increase on adjacent streets if this request is approved
X traffic will not increase on adjacent streets if this request is approved

Name of person completing this form Craig Meyer
Telephone number 306 281 0632
Date 11/21/14

(For City Use Only)

Based upon the information provided above, staff has the following comments:

- X It does not appear that the approval of this request will create any unacceptable traffic impacts.
It appears that the approval of this request will create unacceptable traffic impacts (see comments below).
Other comments

By
Title
Date 11/24/14



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

### Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

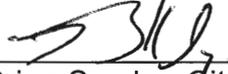
Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

**DATE:** November 24, 2014 for the City Council Meeting of December 10, 2014

**TO:** Mayor and City Council Members

**VIA:**

  
\_\_\_\_\_  
Brian Snyder, City Manager

Lisa Martinez, Director, Land Use Department 

**FROM:** Antoinette Padilla, Code Enforcement Specialist 

### ITEM AND ISSUE

Litter and noise impact assessment, due to a request from New Mexico Hard Cider, LLC for a Winegrowers Liquor License to be located at New Mexico Hard Cider, 3134 Rufina Street, Unit D, Santa Fe, New Mexico.

### BACKGROUND AND SUMMARY

A substantial change in litter and noise due to this request is not anticipated.

# 3134 Rufina Street, Unit D



## Legend

- City Limits
- Full Address Labels
- Parcels
- Airport Clear Zones
- Santa Fe River
- Zoning**
  - RR Rural Residential
  - R1, (PUD) Single- Family 1du/ac.
  - R2, (DT), (PUD), (AC) Single - Family 2du/ac
  - R3, (PUD) Single - Family 3du/ac
  - R4 Single - Family 4du/ac
  - R5, (DT), (PUD), (AC), R6 Single - Family 5-6du/ac
  - R7, (I), (PUD), R8 Single - Family 7-8du/ac
  - RCS, RC5AC Compound 5du/ac
  - RC8, RC8AC Compound 8du/ac
  - R10, (PUD) Multiple - Family 10du/ac
  - R12, (PUD) Multiple - Family 12du/ac
  - R21, (PUD) Multiple - Family 21du/ac
  - R29, (PUD),(AC) Multiple - Family 29du/ac
  - RAC Residential Arts & Crafts



Scale: 1:351

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

CATEGORY Specific Use	RR	R-1 -	R-7 -	R-7 -I	RC- 5, RC- 8	R- 10 - R- 29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC- 1	SC- 2	SC- 3	MU ***	Use- Specific Regs 14-6.2
<b>Industrial</b>																						
Automobile salvage and wrecking yards, junkyards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automobiles or second hand automobile parts																P						
Research, experimental and testing laboratories										P				P	P	P	P					(D)(4)
<b>Manufacturing and Production</b>																						
Light assembly and manufacturing										P				P	P	P	P					

*Italicized words defined in Article 14-12*

**60-6B-10. Locations near church or school; restrictions on licensing.**

No license shall be issued by the director for the sale of alcoholic beverages at a licensed premises where alcoholic beverages were not sold prior to July 1, 1981 that is within three hundred feet of any church or school. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church or school located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a valid building permit for the construction or renovation of the proposed licensed premises and has filed on a form prescribed by the director a notice of intention to apply for transfer of a license to the proposed licensed premises. A license may be granted for a proposed licensed premises if a person has obtained a waiver from a local option district governing body for the proposed licensed premises. For the purposes of this section, all measurements taken in order to determine the location of licensed premises in relation to churches or schools shall be the straight line distance from the property line of the licensed premises to the property line of the church or school. This provision shall not apply to any church that has been designated as an historical site by the cultural properties review committee and which does not have a regular congregation.

**60-6A-11. Winegrower's license.**

A. Exempt from the procurement of any other license pursuant to the terms of the Liquor Control Act, but not from the procurement of a winegrower's license, is a person in this state who produces wine. Except during periods of shortage or reduced availability, at least fifty percent of a winegrower's overall annual production of wine shall be produced from grapes or other agricultural products grown in this state pursuant to rules adopted by the director; provided, however, that, for purposes of determining annual production and compliance with the fifty percent New Mexico grown provision of this subsection, the calculation of a winegrower's overall annual production of wine shall not include the winegrower's production of wine for out-of-state wine producer license holders.

B. A person issued a winegrower's license pursuant to this section may do any of the following:

(1) manufacture or produce wine, including blending, mixing, flavoring, coloring, bottling and labeling, whether the wine is manufactured or produced for a winegrower or an out-of-state wine producer holding a permit issued by the federal alcohol tax unit of the internal revenue service and a valid license in a state that authorizes the wine producer to manufacture, produce, store or sell wine;

(2) store, transport, import or export wines;

(3) sell wines to a holder of a New Mexico winegrower's, wine wholesaler's, wholesaler's or wine exporter's license or to a winegrower's agent;

(4) transport not more than two hundred cases of wine in a calendar year to another location within New Mexico by common carrier;

(5) deal in warehouse receipts for wine;

(6) sell wines in other states or foreign jurisdictions to the holders of a license issued under the authority of that state or foreign jurisdiction authorizing the purchase of wine;

(7) buy wine or distilled wine products from other persons, including licensees and permittees under the Liquor Control Act, for use in blending, mixing or bottling of wines;

(8) conduct wine tastings and sell, by the glass or by the bottle or sell in unbroken packages for consumption off the premises but not for resale, wine of the winegrower's own production or wine produced by another New Mexico winegrower on the winegrower's premises;

(9) at no more than three off-premises locations, conduct wine tastings, sell by the glass and sell in unbroken packages for consumption off premises, but not for resale, wine of the winegrower's own production or wine produced by another New Mexico winegrower after the director has determined that the off-premises locations meet the requirements of the Liquor Control Act and the department rules for new liquor license locations;

(10) be deemed a manufacturer for purposes of the Gross Receipts and Compensating Tax Act; and

(11) at public celebrations on or off the winegrower's premises, after the winegrower has paid the applicable fees and been issued the appropriate permit, to conduct wine tastings, sell by the glass or the bottle or sell in unbroken packages, for consumption off premises but not for resale, wine produced by or for the winegrower.

C. Sales of wine as provided for in this section shall be permitted between the hours of 7:00 a.m. and midnight Monday through Saturday, and the holder of a winegrower's license or public celebration permit may conduct wine tastings and sell, by the glass or bottle or in unbroken packages for consumption off premises but not for resale, wine of the winegrower's own production on the winegrower's premises between the hours of 12:00 noon and midnight on Sunday.

D. At public celebrations off the winegrower's premises in any local option district permitting the sale of alcoholic beverages, the holder of a winegrower's license shall pay ten dollars (\$10.00) to the alcohol and gaming division of the regulation and licensing department for a "winegrower's public celebration permit" to be issued under rules adopted by the director. Upon request, the alcohol and gaming division of the regulation and licensing department may issue to a holder of a winegrower's license a public celebration permit for a location at the public celebration that is to be shared with other winegrowers and small brewers. As used in this subsection, "public celebration" includes any state or county fair, community fiesta, cultural or artistic event, sporting competition of a seasonal nature or activities held on an intermittent basis.

E. Every application for the issuance or annual renewal of a winegrower's license shall be on a form prescribed by the director and accompanied by a license fee to be computed as follows on the basis of total annual wine produced or blended:

- (1) less than five thousand gallons per year, twenty-five dollars (\$25.00) per year;
- (2) between five thousand and one hundred thousand gallons per year, one hundred dollars (\$100) per year; and
- (3) over one hundred thousand gallons per year, two hundred fifty dollars (\$250) per year.

History: Laws 1981, ch. 39, § 28; 1985, ch. 15, § 1; 1987, ch. 98, § 2; 1988, ch. 60, § 3; 1993, ch. 329, § 2; 1995, ch. 122, § 1; 1998, ch. 109, § 2; 1999, ch. 211, § 1; 2001, ch. 248, § 1; 2001, ch. 260, § 1; 2005, ch. 216, § 1; 2011, ch. 71, § 1.