

City passes first reading of liquor ordinance

By GRANT SMITH

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Drugs and liquor took top order at Tuesday's Buffalo City Council meeting as the first reading of the proposed liquor ordinance was passed and the new city of Buffalo drug-testing policy was discussed.

"Before we go to the first reading I'd like to address a couple of issues that I read in the new ordinance," said City Councilman Bruce Hepp after re-introducing proposed ordinance 1341. "After reading the hours of sale and enforcement section. I'd like to add under the section that says no person shall consume alcohol or have an open container on streets, in vehicles or on highways, I'd like to add alleys and sidewalks as well, because that was in the old one."

Local liquor license holder Laura DeMatteis also requested that the city make a change to the ordinance

and provide a clarification on its wording.

"I'm here representing the Buffalo Retail Liquor Association and I have one question and one request," DeMatteis said before reading a section of the proposed ordinance. "My question is if a liquor license is revoked are those same people going to be eligible for a renewal the next time it comes up? We're also requesting that you lower the \$4,000 fine because it seems a little high."

Hepp said that the council would take a look at those issues and provide a response if necessary at the next council meeting.

Moving forward in the agenda following the liquor ordinance's first reading, city attorney Ben Kirven updated the council on the formation of an updated drug testing policy.

"I just need a little feedback from the council. I did receive some examples of cities that just test

employees that hold CLD licenses and others that test what is called a 'safety sensitive employee' in addition to those that have a CDL," said Kirven. "In our case, that would include law enforcement. It is my impression that law enforcement does not have its own testing policy? They just fall under the random testing conducted by the city?"

The council questioned Kirven as to what was the exact definition of a "safety sensitive employee."

"I think for our purpose, it pretty much will just apply to police officers," Kirven said. "Since we are a government agency, we cannot include all city of Buffalo employees. The drug testing can apply to only those that have a CDL or CDL holders in addition to safety sensitive personnel."

The council voted to table the issue until an exact definition of "safety sensitive employee" was found.