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Streamlined ordinance provokes less concern

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A revamped version of a proposed Buffalo liquor license ordinance provoked less concern and more requests for clarification during Tuesday night's public workshop attended by city council and local liquor license holders.

"After reviewing the new ordinance, we just have some questions and a few points of clarification," said Laura DeMattis, to kick off the meeting handing a prepared list to the city council.

The list ranged in topic from in what instance a bar is required to call the police to why the third violation for selling to a minor demands a \$4,000 fee paid to the city.

On the first issue, Buffalo Police Chief Mike Chapman provided an answer.

"If there is a fight, which sometimes there are, and things are getting out of hand, then call us," Chapman said. "Even if all you want is for us to do a walk-through to try to diffuse the situation, give us a call. A lot of time that's all that's needed."

DeMattis and other license holders additionally asked whether the cops wanted to be notified every time a minor attempted to purchase alcohol as is requested in the ordinance.

"A lot of times they'll try to come in and buy with a fake I.D. We turn them down and they head right out the door and are gone," DeMattis said. "Do you still want us to call?"

Chapman replied in the affirmative saying that the hope is to try and catch those that are out trawling for success.

"They might come into your bar first, and if they get turned down head out the door to the next bar, then the next, until they hit jackpot," he explained. "If you give us a call that gives us a chance to catch them if they are still trying."

The new ordinance has a tiered system penalizing a license holder a \$500 administrative fee for the first offense of selling to a minor, \$1,500 for the second offense and \$4,000 for the third offense within a 24-month period.

Several in attendance questioned the harshness of the penalties but council member Bruce Hepp defended the city's position.

"For the first and second offenses you can go take server's training or bring in a business plan showing how you are preventing it from happening again and the fee will be waived," he said. "That third fine is there as a deterrent. I understand that \$4,000 might seem like a lot, but it is more of an attention getter than anything else."

Missing from the ordinance was language making liquor license holders responsible for lower real estate values for nearby properties, if those lower values could be associated with the bar or bar costumers and making holders responsible if illegal drugs are found or used on the premises or in a parking lot under the control of the business.

Both stipulations were in the first proposal presented in July.

"I do believe that this one is a lot better and I appreciate the changes that were done," said local bar owner James Eklund. "I think it is a lot more objectionable."

The first reading of the proposed ordinance will be at the regularly scheduled city council meeting Sept. 7.