

## GREENWOOD VILLAGE LIQUOR LICENSING

Liquor Licensing in Greenwood Village is administered by the City Clerk's office. Liquor licensing involves everything from accepting liquor licensing applications to processing those applications and holding administrative hearings.

Since there are numerous forms to fill out and steps to follow, we recommend reviewing the comprehensive application packet with a City Clerk staff member to ensure a smooth application process.

All forms must be typed or printed in black ink, accurately completed in all aspects, and properly executed. All applications must be submitted in duplicate along with City and State license fees. The City Clerk's office cannot process an incomplete application.

You may want to contact the following departments for information regarding additional information and/or licenses that might be required as part of your liquor license application.

- Finance Department, Sales Tax/Business Licensing – (303) 486-8299
- Community Development, Planning Division – (303) 486-5791
- Community Development, Building Inspection Division – (303) 486-5777
- South Metro Fire Rescue – (720) 989-2000
- Littleton Fire Rescue – (303) 798-3800
- Tri-County Health Department – (303) 220-9200

Approval of a liquor license is a two-tier process in Colorado; you may want to visit the State Liquor Enforcement Division's website at [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information. All documents should be submitted to the City of Greenwood Village, which will then be forwarded to the State for review. The liquor licensing process generally takes two to three months or longer to complete. Therefore, you must communicate with the City Clerk's office far in advance of your opening date. Failure to file applications in a timely manner may result in a delay obtaining your liquor license.

## PUBLIC HEARING AND NEIGHBORHOOD NEEDS AND DESIRES FOR NEW LIQUOR LICENSES

After you have submitted your complete application for a new liquor license, the City Clerk's office will schedule the date for a public hearing before the Local Liquor Licensing Authority. A public hearing cannot be scheduled within 30 days of receipt of a complete application.

The City Clerk's office will provide a map identifying the one mile radius surrounding the proposed licensed premises, which is the neighborhood where needs and desires should be demonstrated. Reasonable requirements of the neighborhood and the desires of the adult inhabitants can be demonstrated by petitions, remonstrance, witnesses, or other evidence.

A notice of the hearing date, time, and location must be posted on the proposed licensed premises ten days prior to the public hearing. The City Clerk's office will prepare and post the hearing notice sign.

For more information or to schedule a meeting with a City Clerk staff member, please call the City Clerk's office at (303) 486-5755. Our office is located at City Hall, 6060 South Quebec Street, Greenwood Village, CO 80111.

Applications for Transfer of Ownership are not subject to neighborhood needs and desires, and a public hearing may not be required.



## NEW & TRANSFER APPLICATION CHECKLIST

This checklist should be used to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the liquor license will be sent to the local licensing authority. All other licenses will be issued by the City of Greenwood Village.

### 1. APPLICANT INFORMATION

- Applicant/Licensee identified (Question 2)
- State sales tax number listed or applied for at time of application
- Application and license type identified
- Appropriate fees
- Original application and one copy submitted to local authority

### 2. DIAGRAM OF LICENSED PREMISES

- No larger than 8.5" x 11"
- Licensed premises outlined in bold black line
- Dimensions included (does not have to be to scale) Exterior areas should show control (fences, walls, etc.) Separate diagram for each floor if multiple levels.
- Kitchen identified if Hotel & Restaurant license
- Patio identified

### 3. PROOF OF PROPERTY POSSESSION \*Must correspond with applicant name exactly

- Deed
- Lease
- Lease Assignment
- Other agreement

### 4. BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS

- Individual History Record(s) (Form DR 8404-I)
- Financial Questionnaire
- Fingerprints taken and submitted to Greenwood Village
- Purchase agreement, stock transfer agreement, and/or authorization to transfer license
- List money as follows in Form DR 8404-I:
  - 14a – Total purchase price or investment made by APPLICANT
  - 14b – Personal investment made by INDIVIDUAL
  - 14c – Details of personal investment listed in 14b (include loans)
  - 14d – Details of corporate investment listed in 14a (include loans)
  - 14e – List all loans
- Copies of all notes and/or loans

### 5. MANAGER REGISTRATION (if manager is not an owner)

- \$75.00 Manager Registration fee (City for all license types)
- \$75.00 Manager Registration fee (State for Hotel & Restaurant and Tavern licenses only)
- Individual History Record (Form DR 8404-I)

#### 6. CORPORATE DOCUMENTS (If applicant is a corporation)

- Articles of Incorporation
- Certificate of Good Standing
- Certificate of Foreign Entity Authority from Colorado Secretary of State (if applicable)

#### 7. LIMITED LIABILITY COMPANY DOCUMENTS (if applicant is an LLC)

- Articles of Organization
- Certificate of Good Standing
- Operating Agreement
- Certificate of Foreign Entity Authority from Colorado Secretary of State (if applicable)

#### 8. PARTNERSHIP DOCUMENTS (if applicant is a general or limited partnership)

- Partnership Agreement
- Certificate of Good Standing

#### 9. SOLE PROPRIETOR/HUSBAND & WIFE PARTNERSHIP DOCUMENTS

- Affidavit of Lawful Presence (State Form DR 4679)
- Copy of Driver's License/Identification Card

#### 10. OTHER

- City Sales Tax License
- Statement of Training
- Affidavit of Transfer & Statement of Compliance (if filing Transfer of Ownership)
- State of Colorado Liquor & Beer Code and Regulations (available online at [colorado.gov/enforcement/liquor](http://colorado.gov/enforcement/liquor))
- City of Greenwood Village Beer & Liquor Regulations
- Will there be outdoor eating/seating/serving?
- Will there be cabaret/nightclub/dancing? (for noise & fire information)
- Application/fees for vending license (if applicable)





## APPLICATION AND LICENSE FEE SCHEDULE

Application Type	City Fee	State Fee	
New Application	\$750.00	\$920.00	
New Application w/ Concurrent Review	\$750.00	\$1,020.00	
Transfer of Ownership	\$750.00	\$920.00	
Temporary Permit	\$100.00	\$0.00	
Change of Location	\$750.00	\$150.00	
Renewal Application	\$100.00	\$0.00	
Renewal - Late Filing Penalty (30 days)	\$250.00	\$0.00	
Renewal - Late Renewal Penalty (Expired)	\$500.00	\$0.00	
Manager Registration	\$75.00	\$75.00 *	
Modification of Premises	\$75.00	\$150.00	
Change of Corporate Structure **	\$100.00/person	\$0.00	
Change of Trade Name/Corporate Name	\$0.00	\$50.00	
Duplicate License	\$0.00	\$50.00	
Background Investigation	\$38.50/person	\$0.00	

License Type	City Fee	State Fee	
3.2% Beer (On or Off Premise)	\$3.75	\$96.25	
Art Gallery Permit	\$103.75	\$71.25	
Arts License	\$41.25	\$308.75	
Beer & Wine License	\$48.75	\$351.25	
Brew Pub License	\$75.00	\$750.00	
Club License	\$41.25	\$308.75	
Distillery Pub License	\$75.00	\$750.00	
Hotel & Restaurant License	\$75.00	\$500.00	
Liquor Licensed Drugstore	\$22.50	\$227.50	
Lodging & Entertainment License	\$75.00	\$500.00	
Resort Complex License	\$75.00	\$500.00	
Retail Liquor Store License	\$22.50	\$227.50	
Tavern License	\$75.00	\$500.00	
Delivery Permit	\$0.00	\$0.00	
Mini Bar Permit	\$325.00	\$0.00	
Special Events Permit	\$100/event	\$0.00	

\* State fee is for Hotel & Restaurant or Tavern licenses only

\*\* If licensee has a State Master File, fee is \$250.00 per person to the State only, no City fee.

Make checks payable to:

City of Greenwood Village for City fees

Colorado Department of Revenue for State fees



# Colorado Liquor Retail License Application

**New License**   
  **New-Concurrent**   
  **Transfer of Ownership**   
  **State Property Only**

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)
- Local License Fee \$ \_\_\_\_\_

1. Applicant is applying as a/an  Individual  
 Corporation  Limited Liability Company  
 Partnership (includes Limited Liability and Husband and Wife Partnerships)  Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone

3. Address of Premises (specify exact location of premises, include suite/unit numbers)

City County State ZIP Code

4. Mailing Address (Number and Street) City or Town State ZIP Code

5. Email Address

6. If the premises currently has a liquor or beer license, you **must** answer the following questions

Present Trade Name of Establishment (DBA) Present State License Number Present Class of License Present Expiration Date

**Section A Nonrefundable Application Fees** **Section B (Cont.) Liquor License Fees**

- |   |  |
|---|--|
| <input type="checkbox"/> Application Fee for New License ..... \$920.00<br><input type="checkbox"/> Application Fee for New License w/Concurrent Review ..... \$1020.00<br><input type="checkbox"/> Application Fee for Transfer ..... \$920.00 | <input type="checkbox"/> Lodging & Entertainment - L&E (City) ..... \$500.00<br><input type="checkbox"/> Lodging & Entertainment - L&E (County) ..... \$500.00<br><input type="checkbox"/> Manager Registration - H & R ..... \$75.00<br><input type="checkbox"/> Manager Registration - Tavern ..... \$75.00<br><input type="checkbox"/> Manager Registration - Lodging & Entertainment ..... \$75.00 |
|---|--|

**Section B Liquor License Fees**

- |   |  |
|---|--|
| <input type="checkbox"/> Add Optional Premises to H & R ..... \$100.00 X _____ Total _____<br><input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X _____ Total _____<br><input type="checkbox"/> Arts License (City) ..... \$308.75<br><input type="checkbox"/> Arts License (County) ..... \$308.75<br><input type="checkbox"/> Beer and Wine License (City) ..... \$351.25<br><input type="checkbox"/> Beer and Wine License (County) ..... \$436.25<br><input type="checkbox"/> Brew Pub License (City) ..... \$750.00<br><input type="checkbox"/> Brew Pub License (County) ..... \$750.00<br><input type="checkbox"/> Club License (City) ..... \$308.75<br><input type="checkbox"/> Club License (County) ..... \$308.75<br><input type="checkbox"/> Distillery Pub License (City) ..... \$750.00<br><input type="checkbox"/> Distillery Pub License (County) ..... \$750.00<br><input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00<br><input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00<br><input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00<br><input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) ..... \$600.00<br><input type="checkbox"/> Liquor Licensed Drugstore (City) ..... \$227.50<br><input type="checkbox"/> Liquor Licensed Drugstore (County) ..... \$312.50 | <input type="checkbox"/> Master File Location Fee ..... \$25.00 X _____ Total _____<br><input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____<br><input type="checkbox"/> Manager Permit - LLDS/RLS ..... \$100.00<br><input type="checkbox"/> Optional Premises License (City) ..... \$500.00<br><input type="checkbox"/> Optional Premises License (County) ..... \$500.00<br><input type="checkbox"/> Racetrack License (City) ..... \$500.00<br><input type="checkbox"/> Racetrack License (County) ..... \$500.00<br><input type="checkbox"/> Resort Complex License (City) ..... \$500.00<br><input type="checkbox"/> Resort Complex License (County) ..... \$500.00<br><input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00<br><input type="checkbox"/> Retail Gaming Tavern License (County) ..... \$500.00<br><input type="checkbox"/> Retail Liquor Store License (City) ..... \$227.50<br><input type="checkbox"/> Retail Liquor Store License (County) ..... \$312.50<br><input type="checkbox"/> Tavern License (City) ..... \$500.00<br><input type="checkbox"/> Tavern License (County) ..... \$500.00<br><input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00<br><input type="checkbox"/> Vintners Restaurant License (County) ..... \$750.00 |
|---|--|

**Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information**

**Do not write in this space - For Department of Revenue use only**

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	<b>Total</b>
			\$

## Application Documents Checklist and Worksheet

**Instructions:** This checklist should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

**Questions? Visit:** [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information

<b>Items submitted, please check all appropriate boxes completed or documents submitted</b>	
<b>I.</b>	<b>Applicant information</b> <input type="checkbox"/> A. Applicant/Licensee identified <input type="checkbox"/> B. State sales tax license number listed or applied for at time of application <input type="checkbox"/> C. License type or other transaction identified <input type="checkbox"/> D. Return originals to local authority <input type="checkbox"/> E. Additional information may be required by the local licensing authority
<b>II.</b>	<b>Diagram of the premises</b> <input type="checkbox"/> A. No larger than 8 1/2" X 11" <input type="checkbox"/> B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.) <input type="checkbox"/> C. Separate diagram for each floor (if multiple levels) <input type="checkbox"/> D. Kitchen - identified if Hotel and Restaurant <input type="checkbox"/> E. Bold/Outlined Licensed Premises
<b>III.</b>	<b>Proof of property possession (One Year Needed)</b> <input type="checkbox"/> A. Deed in name of the Applicant (or) (matching question #2) date stamped / filed with County Clerk <input type="checkbox"/> B. Lease in the name of the Applicant (or) (matching question #2) <input type="checkbox"/> C. Lease Assignment in the name of the Applicant with proper consent from the Landlord and acceptance by the Applicant <input type="checkbox"/> D. Other Agreement if not deed or lease. (matching question #2) (Attach prior lease to show right to assumption)
<b>IV.</b>	<b>Background information and financial documents</b> <input type="checkbox"/> A. Individual History Records(s) (Form DR 8404-I) <input type="checkbox"/> B. Fingerprints taken and submitted to local authority (State Authority for Master File applicants) <input type="checkbox"/> C. Purchase agreement, stock transfer agreement, and or authorization to transfer license <input type="checkbox"/> D. List of all notes and loans (Copies to also be attached)
<b>V.</b>	<b>Sole proprietor / husband and wife partnership</b> <input type="checkbox"/> A. Form DR4679 <input type="checkbox"/> B. Copy of State issued Driver's License or Colorado Identification Card for each applicant
<b>VI.</b>	<b>Corporate applicant information (if applicable)</b> <input type="checkbox"/> A. Certificate of Incorporation dated stamped by the Secretary of State <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Certificate of Authorization if foreign corporation <input type="checkbox"/> D. List of officers, directors and stockholders of Applying Corporation (If wholly owned, designate a minimum of one person as Principal Officer of Parent)
<b>VII.</b>	<b>Partnership applicant information (if applicable)</b> <input type="checkbox"/> A. Partnership Agreement (general or limited). Not needed if husband and wife <input type="checkbox"/> B. Certificate of Good Standing (If formed after 2009)
<b>VIII.</b>	<b>Limited Liability Company applicant information (if applicable)</b> <input type="checkbox"/> A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office) <input type="checkbox"/> B. Certificate of Good Standing <input type="checkbox"/> C. Copy of operating agreement <input type="checkbox"/> D. Certificate of Authority if foreign company
<b>IX.</b>	<b>Manager registration for Hotel and Restaurant, Tavern and Lodging &amp; Entertainment licenses when included with this application</b> <input type="checkbox"/> A. \$75.00 fee <input type="checkbox"/> B. Individual History Record (DR 8404-I) <input type="checkbox"/> C. If owner is managing, no fee required
<b>X.</b>	<b>Manager Permit for Liquor License Drug Store and Retail Liquor Store when included with this application</b> <input type="checkbox"/> A. \$100.00 Permit Fee <input type="checkbox"/> B. Individual History Record (DR 8404-I)

<b>7.</b> Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years?	Yes	No		
	<input type="checkbox"/>	<input type="checkbox"/>		
<b>8.</b> Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):				
(a) Been denied an alcohol beverage license?	<input type="checkbox"/>	<input type="checkbox"/>		
(b) Had an alcohol beverage license suspended or revoked?	<input type="checkbox"/>	<input type="checkbox"/>		
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?	<input type="checkbox"/>	<input type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
<b>9.</b> Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>10.</b> Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?	<input type="checkbox"/>	<input type="checkbox"/>		
Waiver by local ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<b>or</b>	
Other: _____				
<b>11.</b> Is your Liquor Licensed Drug Store (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000? <b>NOTE</b> —The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>12.</b> Is your Liquor Licensed Drug Store(LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000? <b>NOTE</b> —The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>13.</b> Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.	<input type="checkbox"/>	<input type="checkbox"/>		
<b>14.</b> Does the Applicant, as listed on line 2 of this application, <b>have legal possession of the premises by virtue of ownership</b> , lease or other arrangement?	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/> Ownership <input type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
<b>a.</b> If leased, list name of landlord and tenant, and date of expiration, <b>exactly</b> as they appear on the lease:				
Landlord	Tenant		Expires	
<b>b.</b> Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 13. <span style="float:right;"><input type="checkbox"/> <input type="checkbox"/></span>				
<b>c.</b> Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
<b>15.</b> Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
<b>Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.</b>				
<b>16.</b> Optional Premises or Hotel and Restaurant Licenses with Optional Premises:				
Has a local ordinance or resolution authorizing optional premises been adopted?				<input type="checkbox"/> <input type="checkbox"/>
Number of additional Optional Premise areas requested. (See license fee chart)				
<b>17.</b> Liquor Licensed Drug Store applicants, answer the following:				
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy?				<input type="checkbox"/> <input type="checkbox"/>
<b>If "yes" a copy of license must be attached.</b>				
<b>18.</b> Club Liquor License applicants answer the following: <b>Attach a copy of applicable documentation</b>				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?				<input type="checkbox"/> <input type="checkbox"/>
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?				<input type="checkbox"/> <input type="checkbox"/>
(c) How long has the club been incorporated?				
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?				<input type="checkbox"/> <input type="checkbox"/>
<b>19.</b> Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)				<input type="checkbox"/> <input type="checkbox"/>
<b>19a.</b> For all on-premises applicants. (If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an Individual History Record - DR 8404-I)				
<b>19b.</b> For all Liquor Licensed Drug Stores (LLDS) and Retail Liquor Stores (RLS) the manager must also submit an Individual History Record- DR 8404-I, Fingerprints, and obtain a Manager Permit.				
Last Name of Manager	First Name of Manager		Date of Birth	
<b>19c.</b> Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. <span style="float:right;"><input type="checkbox"/> <input type="checkbox"/></span>				
Name	Type of License	Account Number		

<b>20. Tax Distraint Information.</b> Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements.					Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>21. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members.</b> In addition, applicant must list any stockholders, partners, or members with <b>ownership of 10% or more in the Applicant.</b> All persons listed below must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.						
Name	Home Address, City & State	DOB	Position	%Owned		
Name	Home Address, City & State	DOB	Position	%Owned		
Name	Home Address, City & State	DOB	Position	%Owned		
Name	Home Address, City & State	DOB	Position	%Owned		
Name	Home Address, City & State	DOB	Position	%Owned		
** If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20 ** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: <input type="checkbox"/> Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.						
<b>Oath Of Applicant</b>						
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.						
Authorized Signature			Printed Name and Title		Date	
<b>Report and Approval of Local Licensing Authority (City/County)</b>						
Date application filed with local authority			Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)			
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has: <input type="checkbox"/> Been fingerprinted <input type="checkbox"/> Been subject to background investigation, including NCIC/CCIC check for outstanding warrants That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license (Check One) <input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority						
<input type="checkbox"/> Is the Liquor Licensed Drug Store (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?					Yes <input type="checkbox"/>	No <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drug Store(LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000? <b>NOTE</b> –The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.					<input type="checkbox"/>	<input type="checkbox"/>
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. <b>Therefore, this application is approved.</b>						
Local Licensing Authority for			Telephone Number		<input type="checkbox"/> Town, City <input type="checkbox"/> County	
Signature		Print		Title		Date
Signature		Print		Title		Date

## Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant or Tavern class of retail license

**Notice:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business		Home Phone Number	Cellular Number	
2. Your Full Name (last, first, middle)		3. List any other names you have used		
4. Mailing address (if different from residence)		Email Address		
5. List current residence address. Include any previous addresses within the last <b>five</b> years. (Attach separate sheet if necessary)				
<b>Street and Number</b>		<b>City, State, Zip</b>		<b>From</b>
<b>To</b>				
Current				
Previous				
6. List all employment within the last <b>five</b> years. Include any self-employment. (Attach separate sheet if necessary)				
<b>Name of Employer or Business</b>		<b>Address (Street, Number, City, State, Zip)</b>		<b>Position Held</b>
<b>From</b>		<b>To</b>		
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.				
<b>Name of Relative</b>		<b>Relationship to You</b>		<b>Position Held</b>
<b>Name of Licensee</b>				
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.)  Yes  No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.)  Yes  No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.)  Yes  No

**Personal and Financial Information**

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth      b. Social Security Number      c. Place of Birth      d. U.S. Citizen  Yes  No

e. If Naturalized, state where      f. When      g. Name of District Court

h. Naturalization Certificate Number      i. Date of Certification      j. If an Alien, Give Alien's Registration Card Number      k. Permanent Residence Card Number

l. Height      m. Weight      n. Hair Color      o. Eye Color      p. Gender      q. Race      r. Do you have a current Driver's License/ID? If so, give number and state.  Yes  No # \_\_\_\_\_ State \_\_\_\_\_

14. Financial Information.

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other. \$ \_\_\_\_\_

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ \_\_\_\_\_  
 \* If corporate investment only please skip to and complete section (d)  
 \*\* Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount

d. Provide details of the corporate investment described in 14 b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount

**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature      Print Signature      Title      Date

# FINANCIAL QUESTIONNAIRE

*The applicant hereby agrees that any knowingly false or incomplete answer to the following questions shall constitute cause for the suspension or revocation of the license applied for:*

Name of Applicant

Business Address

Business Phone

1. \_\_\_\_\_

2. Trade Name: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Name of person(s) purchasing stock or member of LLC: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. If purchased, state purchase price including inventory: \_\_\_\_\_

5. If new application, what is the amount to be invested: \_\_\_\_\_

6. Cash to be invested:

By Whom

Where Obtained  
(Savings, Checking Account, etc.)

Amount

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Complete the following information on loans obtained:

Name of Lender

Address

Citizenship

Business

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

Amount of Loan

Security

Term of Obligation

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

8. Give name of bank where business account will be maintained; name the account will be maintained under; and the name(s) of person(s) authorized to draw thereon:

---

---

---

*(The following affidavit to be signed and acknowledged by individuals and each member of partnerships and by corporation)*

STATE OF COLORADO )  
 ) ss.  
County of \_\_\_\_\_ )

\_\_\_\_\_ and \_\_\_\_\_, being by me first duly sworn, if for himself, deposes and says; that he/she is the applicant above named; or that he/she is \_\_\_\_\_ of the above named applicant; that he has read the foregoing application and that he knows the contents thereof, and that all matters and things therein set forth are true of his own knowledge, and he agrees to conform to all rules and regulations promulgated by the State Licensing Authority in connection therewith.

Individuals or all members of partnership or corporate representative must sign here:

---

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*Corporate Seal*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_,

\_\_\_\_\_  
Signature of Notary Public

My Commission Expires \_\_\_\_\_

**STATEMENT OF TRAINING**

TO: Liquor Licensing Authority  
City of Greenwood Village, Colorado

RE: Applicant Name: \_\_\_\_\_  
Trade Name: \_\_\_\_\_  
Business Address: \_\_\_\_\_

I, the applicant herein named, state that I understand the importance of being familiar with and complying with the Liquor or Fermented Malt Beverage Codes of the State of Colorado.

Therefore, with respect to the management and other staff who will have a direct involvement with the sale and service of all alcoholic beverages, I hereby certify that all such personnel will have completed a course regarding sale of alcoholic beverages approved by the City Clerk of the City of Greenwood Village at the earliest opportunity immediately following the first day of employment of each such employee.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Typed Name of Above Signator

\_\_\_\_\_  
Title of Above Signator

State of Colorado    )  
                                  )  
County of Arapahoe )

The foregoing instrument was acknowledged before me by \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_



CITY OF  
GREENWOOD VILLAGE

### Approved Vendor List

The City Clerk has approved the following list of training programs for the Sale and Service of Alcoholic Beverages:

<p><b>TIPS – Training for Intervention Procedures</b> Nicole M. Seymour, Government Relations Manager 1400 Key Boulevard, Suite 1700 Arlington, VA 22209 Phone: 1-800-GET-TIPS <a href="http://www.gettips.com">www.gettips.com</a></p> <p><b>* The Greenwood Village Police Department offers TIPS training. Call (303) 773-2525 for more information.</b></p>	<p><b>ServSafe Alcohol/Colorado Restaurant Association – Education Fund</b> Maureen McNamara 430 East 7<sup>th</sup> Avenue Denver, CO 80203 Phone: (303) 830-2972 <a href="http://www.coloradorestarant.com">www.coloradorestarant.com</a></p>
<p><b>Oedipus, Inc.</b> Max Scott and Tina Scott P.O. Box 1012 Lafayette, CO 80026 Phone: (303) 661-0638 Fax: (303) 604-2862 Email: <a href="mailto:exleg@comcast.net">exleg@comcast.net</a> <a href="http://member.expertpages.com/oedipusinc">http://member.expertpages.com/oedipusinc</a> English and Spanish classes offered</p>	<p><b>City of Brighton – Police Department</b> Officer Cuney – Community Resource Officer 3401 E. Bromley Lane Brighton, CO 80601 Phone: (303) 655-2338 Email: <a href="mailto:acuney@brightonco.gov">acuney@brightonco.gov</a></p>
<p><b>City of Evans – Police Department</b> Office Eric McCall 1100 37<sup>th</sup> Street Evans, CO 80620 Phone: (970) 339-2441 Email: <a href="mailto:emccall@evanscolorado.gov">emccall@evanscolorado.gov</a></p>	<p><b>City of Greeley – Police Department</b> Detective Andy Gilmore 2875 West 10<sup>th</sup> Street Greeley, CO 80634 Phone: (970) 350-9675 Email: <a href="mailto:andy.gilmore@greeleypd.com">andy.gilmore@greeleypd.com</a></p>
<p><b>Colorado Responsible Vendors by Dave Reitz</b> David C. Reitz 10898 County Road 28 Fort Lupton, CO 80621 Phone: (303) 653-5643 Email: <a href="mailto:reitz.david@gmail.com">reitz.david@gmail.com</a></p>	<p><b>Liquor Licensing Professionals, LLC</b> Sue Duffy, Patricia Harper-Schuyler, Jason Bourassa, George Herrera 24 Via Sierra Grande Manitou Springs, CO 80829 Phone: (719) 390-8844 Email: <a href="mailto:liquorpros@msn.com">liquorpros@msn.com</a></p>

<p><b>Frederick Police Department</b>        Sergeant Gregg Lotspeich        333 5<sup>th</sup> Street – P.O. Box 639        Frederick, CO 80530        Phone: (720) 382-5700 ext. 705        Email: <a href="mailto:glotspeich@frederickco.gov">glotspeich@frederickco.gov</a></p>	<p><b>City of Lafayette – Police Department</b>        Detective John Dombeck        451 North 111<sup>th</sup> Street        Lafayette, CO 80026        Phone: (303) 665-5571  <a href="http://www.cityoflafayette.com">www.cityoflafayette.com</a></p>
<p><b>City of Grand Junction – City Clerks Office</b>        Stephanie Tuin, MMC        250 North 5<sup>th</sup> Street        Grand Junction, CO 81501        Phone: (970) 244-1509</p>	<p><b>City of Grand Junction – Police Department</b>        Meghan Woodland, Maggie Fitzgerald        250 North 5<sup>th</sup> Street        Grand Junction, CO 81501        Phone: (970) 244-1509</p>
<p><b>Louisville Police Department</b>        Sergeant Jay Lanphere        Officer Cristy Gordanier        992 Via Appia        Louisville, CO 80027        Phone: (303) 666-6531        Email: <a href="mailto:isvlpd@ci.louisville.co.us">isvlpd@ci.louisville.co.us</a></p>	<p><b>City of Montrose – Police Department</b>        Sergeant Bernie Chism        433 South 1<sup>st</sup> Street        Montrose, CO 81402        Phone Direct: (970) 252-5215        Phone Main: (970) 252-5200        Email: <a href="mailto:gchism@ci.montrose.co.us">gchism@ci.montrose.co.us</a></p>
<p><b>Colorado Bar Owners Association</b>        Mickey Petrollini, Executive Director        4040 S. Spruce St.        Denver, CO 80237        Phone: (303) 945-5249        Email: <a href="mailto:mpetrollini@cobars.com">mpetrollini@cobars.com</a></p>	<p><b>Colorado Licensed Beverage Association</b>        Jeanne M. McEvoy, Program Director        19841 E. 108<sup>th</sup> Place        Commerce City, CO 80022        Phone: (303) 766-7144        Email: <a href="mailto:myclba.com@gmail.com">myclba.com@gmail.com</a></p>
<p><b>Grand Futures Prevention Coalition – Routt County</b>        Kate Elkins &amp; Josh Carell        PO Box 774923        Steamboat Springs, CO 80477        Phone: (970) 879-6188        Email: <a href="mailto:kate@grandfutures.org">kate@grandfutures.org</a></p>	<p><b>Grand Futures Prevention Coalition – Grand County</b>        Megan McCord        PO Box 557        Granby, CO 80446        Phone: (970) 887-9655        Email: <a href="mailto:megan@grandfutures.org">megan@grandfutures.org</a></p>

**CITY OF GREENWOOD VILLAGE CITY CLERK'S OFFICE**  
**APPLICATION FOR TEMPORARY PERMIT PENDING TRANSFER OF OWNERSHIP**

**FEE: \$100.00**

**NOTICE:** Any applicant for a temporary permit is charged with the responsibility of having knowledge of the pertinent Colorado State Statutes and Regulations as set forth in C.R.S. Title 12, Articles 46 and 47.

Applicant: \_\_\_\_\_

Trade Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Transfer Licensee: \_\_\_\_\_

Trade Name: \_\_\_\_\_

Current License  
Number/Type: \_\_\_\_\_

**NOTE:** A temporary permit may be issued only if a **COMPLETED APPLICATION** for a Transfer of Ownership **along with all required documentation and associated fees** has been submitted to the City of Greenwood Village, City Clerk, 6060 South Quebec Street, Greenwood Village, CO 80111.

A temporary permit is valid for no more than one hundred twenty days from the date of issuance and is automatically void upon completion of the transfer of ownership and issuance of a new permanent liquor license in the name of the above applicant by the Colorado Division of Liquor Enforcement and the City of Greenwood Village Local Licensing Authority.

This permit may be canceled, revoked, or summarily suspended if the Local or State Licensing Authority determines there is probable cause to believe that the transferee has violated any provision of the Colorado Liquor/Beer Code or has violated any rule or regulation adopted by the Local or State Licensing Authority or has failed to truthfully disclose those matters required pursuant to the application forms.

*Do not write in this space - for City of Greenwood Village use only*

Date Received: _____	Fee Received: _____
License No: _____	Date Issued: _____
	Date Expires: _____



### AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

\_\_\_\_\_

\_\_\_\_\_

*Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the:*       Licensee       Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

**Seller:**

**Buyer:**

\_\_\_\_\_  
Licensee & License Number

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Trade name

\_\_\_\_\_  
Trade name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Position

\_\_\_\_\_  
Position

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

## **Business Taxes – How Do I...?**

### **License my Business in Greenwood Village?**

All businesses with employees working in the Village must obtain an [Occupational Privilege Tax License](#). The tax consists of two portions, the employee portion and the employer portion. Both portions are \$2.00 per month (\$4.00 combined) and both apply when employee earns \$250.00 or month in a calendar month. The employer is responsible for reporting and remitting both portions of the tax. Owners, partners and offices who are not paid a salary or commission are subject to only the employer portion of the tax. A one-time application fee of \$10.00 is required at the time of licensing.

If your firm conducts sales of tangible personal property at retail, a [Sales/Use Tax License](#) will also be needed. The 3.0 percent municipal tax must be charged, collected and remitted directly to the Village for sales that take place in our city. Sales tax applies to items your firm may sell at retail, lease or rent. Services such as telephone and lodging are also subject to the Village's sales tax. Items delivered outside the Village should not have Greenwood Village sales tax applied. If delivering to another city, that city should be contacted for their sales tax requirements.

### **Remit Use Tax to the Village?**

Virtually every business will have a use tax liability. When a retail vendor sells tangible personal property and collects “sales tax,” that retail vendor remits the sales tax directly to the Village. If a retail vendor fails to collect and remit the correct sales tax, the purchaser may owe a “use tax” to the Village. In essence, use tax is a complement to our municipal sales tax. An example would be if a business owner purchased a computer and had it delivered to their office in the Village. The sales tax charged was State, RTD, Cultural District, and Arapahoe County for a total rate of 4.25 percent. Since the 3.0 percent Greenwood Village sales tax was not charged, 3.0 percent use tax would be due from the purchaser to the Village.

Use tax eliminates any sales tax advantage that out-of-Village retailers may have. This not only protects local businesses but also benefits the community by ensuring that tax dollars remain within the Village. Your firm may find it helpful to obtain our [Sales/Use Tax License](#). Licensing will ensure that your firm receives tax coupons to assist you in remitting the use tax.

### **Avoid Paying the Incorrect Sales Tax?**

Village businesses and residents often pay a higher, incorrect sales tax. Many vendors do not realize they are making deliveries into Greenwood Village because of the Englewood name which typically appears in Greenwood Village mailing addresses. As a result, the higher Englewood rate (7.75 percent Englewood, State, County, RTD, CD) is often charged. Deliveries into Greenwood Village should have a total of 7.25 percent sales tax applied. If the incorrect sales tax is being charged; inform your suppliers that your company is located in Greenwood Village; use the Greenwood Village name in your mailing address; do not remit the incorrect municipal portion of the sales tax to your vendor, instead remit the 3.0 percent use tax directly to the City of Greenwood Village.

Additional Information: [www.greenwoodvillage.com](http://www.greenwoodvillage.com)



# Tax License Application

CITY OF GREENWOOD VILLAGE  
6060 South Quebec Street  
Greenwood Village, Colorado 80111  
303-773-0252

## General Information

Business Name: \_\_\_\_\_

Trade Name (DBA): \_\_\_\_\_

Business Physical Address: \_\_\_\_\_  
Street (Include Suite Number) City State Zip Code

Mailing Address: \_\_\_\_\_  
Street (if different than Business Address) City State Zip Code

Business (Local) Phone Number: \_\_\_\_\_ First Day of Business in Greenwood Village: \_\_\_\_\_

### Contact Information for Tax Related Matters:

\_\_\_\_\_  
Name Telephone Number E-mail Address

\_\_\_\_\_  
Name Telephone Number E-mail Address

Type of Ownership: \_\_\_ Sole Proprietor \_\_\_ Partnership \_\_\_ Corporation \_\_\_ LLC \_\_\_ Other (All exempt organizations must include copy of 501(c) (3) form)

List Owner(s) or Corporate Officer(s): (attach supplemental sheet, if necessary)

\_\_\_\_\_  
Name Address Telephone Number

\_\_\_\_\_  
Name Address Telephone Number

\_\_\_\_\_  
Name Address Telephone Number

Federal Employer I.D. (FEIN): \_\_\_\_\_

State of Colorado Sales Tax Account Number: \_\_\_\_\_

Nature of Business: \_\_\_\_\_  
(Description of Goods Sold or Services Provided. Food Establishments Must Supply a Copy of Approved Tri-County Health License)

Emergency Contact: \_\_\_\_\_  
Name Telephone E-mail Address

**This information will be shared with the Greenwood Village Police for the sole purpose of contact in case of police or fire emergency. For this reason, please provide a local contact name. Attach supplemental sheet, if necessary.**



# *Greenwood Village*

BEER AND LIQUOR REGULATIONS—2015



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**LOCAL LICENSING AUTHORITY**

**CITY OF GREENWOOD VILLAGE, COLORADO**

**BEER AND LIQUOR REGULATIONS - 2014**

**I. COLORADO BEER CODE AND COLORADO LIQUOR CODE**

Except where State laws and regulations take precedence, the following regulations are intended to govern all proceedings before the Local Licensing Authority of the City of Greenwood Village, Colorado and all matters arising under Article 46 - Colorado Beer Code, Article 47 - Colorado Liquor Code, and Article 48 - Liquors, Special Event Permits, Title 12, C.R.S.

§1. Local Licensing Authority - General Provisions

- A. The beer and liquor licensing authority of the City of Greenwood Village, Colorado, shall be the City Council or its designee and shall be known as the Local Licensing Authority, herein sometimes referred to as "Authority."
- B. The Authority shall regulate the sale of fermented malt beverages, vinous and spirituous liquors and conduct all public hearings on new applications for 3.2% beer and liquor licenses, and on all hearings for suspension or revocation of licenses. An applicant shall be afforded a hearing prior to any denial of a change.
- C. Licenses shall be posted in a conspicuous place on the licensed premises.
- D. At all times the licensee shall possess and maintain possession of the premises for which the license is issued by ownership, lease, rental, or other arrangement for possession.
- E. These regulations do not apply to the sale or distribution of sacramental wines used for religious purposes.
- F. In computing any period of time prescribed by these regulations, the day of the act or event from which the designated period of time begins shall not be included. Saturdays, Sundays, and legal holidays shall be counted as any other day.
- G. The City Clerk, acting on behalf of the City Council as the local licensing authority pursuant to the Colorado Liquor Code and the Colorado Beer Code is authorized to grant temporary liquor permits, approve renewals of liquor licenses, transfers of ownership, changes of corporations or corporate status, Art Gallery Permits Special Event Liquor Permits, Retail Warehouse Storage Permits, Tasting Permits, changes of trade names, modifications or alterations to premises, off site and manager registrations as applicable during the preceding year if there is no derogatory information that would support a recommendation of denial of the licensee, its partners, officers, directors, managers or shareholders.
- H. The City Clerk will keep an approved list of vendors that provide a courses regarding sale and service of alcoholic beverages. All applications before the Greenwood Village Local Liquor Licensing Authority shall provide a statement of training of such training.

§2. Definitions

Definitions shall be those definitions set forth in Articles 46 47 and 48, Title 12, C.R.S.

- A. Adult means a person lawfully permitted to purchase alcoholic or fermented malt beverages.
- B. Alcohol beverage means fermented malt beverage or malt, vinous, or spirituous liquors; except that "alcohol beverage" shall not include confectionery containing alcohol within the limits prescribed by section 25-5-410 (1)(i)(II), C.R.S.
- C. Art Gallery means an establishment whose primary purpose is to exhibit and offer for sale works of fine art as defined in section 6-15-101, C.R.S, or precious or semiprecious metals or stones as defined in section 18-16-102, C.R.S.
- D. Brew Pub means a retail establishment that manufactures not more than one million eight hundred sixty thousand gallons of malt liquor on its premises each year.
- E. City Clerk means the duly appointed City Clerk of the City of Greenwood Village, Colorado. The City Clerk is hereby designated as the "designee" of the Local Licensing Authority.
- F. Club means a corporation that:
  - 1) has been incorporated but not less than three years; and
  - 2) has a membership that has paid dues for a period of at least three years; and
  - 3) has a membership that for three years had been the owner, lessee or occupant of an establishment operated solely for objects of a national, social, fraternal, patriotic, political, or athletic nature but not for pecuniary gain and t the property as well as the advantages of the which belong to the members;
- G. Fermented Malt Beverage means any beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any similar product or any combination thereof in water containing not less than one-half of one percent alcohol by volume and not more than three and two-tenths percent alcohol by weight or four percent alcohol by volume; except that "Fermented malt beverage" shall not include confectionery containing alcohol within the limits prescribed by section 25-5-410 (1)(i)(II), C.R.S.
- H. Good Cause for the purpose of refusing or denying a license renewal or initial license issuance, means: (a) the licensee or applicant has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of the Colorado Beer, Liquor and Special Event Codes or any rules and regulations; (b) the licensee or applicant has failed to comply with any special terms or conditions that were placed on its license in prior disciplinary proceedings or arose in the context of potential disciplinary proceedings; (c) in the case of a new license, the applicant has not established the reasonable requirements of the neighborhood or the desires of its adult inhabitants as provided in section 12-47-301(2); or (d) evidence that the licensed premises have been operated in a manner that adversely affects the public health, welfare, or safety of the immediate neighborhood in which the establishment is located, which evidence must include a continuing pattern of fights, violent activity or disorderly conduct. For

purposes of this paragraph (d), "disorderly conduct" has the meaning as provided for in section 18-9-106, C.R.S.

- I. Hotel means any establishment with sleeping rooms for the accommodation of guests and having restaurant facilities.
- J. Inhabitant means an individual who resides within a given neighborhood or community for more than six months each year.
- K. License means a grant to a licensee to manufacture or sell fermented malt beverages, malt, vinous or spirituous liquors.
- L. Licensed premises means the premises specified in an application for a license which are owned or in possession of the licensee and within which such licensee is authorized to sell, dispense, or serve fermented malt beverages or malt, vinous, or spirituous liquors.
- M. Limited Winery means any establishment manufacturing not more than one hundred thousand gallons, or the metric equivalent thereof, of vinous liquors annually within Colorado.
- N. Local licensing authority means the City Council of the City of Greenwood Village, Colorado, or its designee.
- O. Location means a particular parcel of land that may be identified by an address or by other descriptive means.
- P. Malt liquors includes beer and shall be construed to mean any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof, in water containing more than three and two-tenths percent of alcohol by weight or four percent alcohol by volume.
- Q. Meal means a quantity of food of such nature as is ordinarily consumed by an individual at regular intervals for the purpose of sustenance.
- R. Party in Interest means any of the following:
  - 1) Applicant
  - 2) An adult resident of the neighborhood under consideration
  - 3) The owner or manager of a business located in the neighborhood under consideration.
  - 4) A principal or representative of any school located within five hundred feet of the premises for which a malt, vinous, or spirituous liquor license is under consideration.
  - 5) A representative of an organized neighborhood group who resides in such neighborhood but said representative shall not be permitted to cross-examine witnesses or seek judicial review of the licensing authority's decisions.
- S. Person means a natural person, partnership, association, company, corporation, or organization or a manager, agent, servant, officer, or employee thereof.
- T. Personal consumer means an individual who is at least twenty-one years of age, does not

hold an alcohol beverage license issued in this state, and intends to use wine purchased under section 12-47-104 for personal consumption only and not for resale or other commercial purposes.

- U. Premises means a distinct and definite location, which may include a building, a part of a building, a room, or any other definite contiguous area.
- V. Restaurant means an establishment, which is not a hotel as defined in this section, provided with special space, sanitary kitchen and dining room equipment, and persons to prepare, cook, and serve meals, where, in consideration of payment, meals, drinks, tobaccos, and candies are furnished to guests and in which nothing is sold excepting food, drinks, tobaccos, and candies and items of souvenir merchandise depicting the theme of the restaurant or the geographical or historic subjects of the nearby area. Any establishment connected with any business wherein any business is conducted, excepting hotel business or the sale of food, drinks, tobaccos, candies, or such items of souvenir merchandise is declared not to be a restaurant. Nothing in this section shall be construed to prohibit the use in a restaurant of orchestras, singers, floor shows, coin-operated music machines, and amusement devices that pay nothing of value and cannot by adjustment be made to pay anything of value or other forms of entertainment commonly provided in restaurants.
- W. Retail Liquor Store means an establishment engaged only in the sale of malt, vinous and spirituous liquors and soft drinks and mixers, all in sealed containers for consumption off the premises, and in the sale of tobaccos, tobacco products, smokers' supplies, nonfood items related to the consumption of such beverages; and liquor-filled candy and food items approved by the State Licensing Authority which are prepackaged, labeled, and directly related to the consumption of such beverages, and are sold solely for the purpose of cocktail garnish in containers up to 16 oz. No sale of food items, which could constitute a snack, a meal or portion of a meal, shall be sold.
- X. School means a public, parochial, or nonpublic school that provides a basic academic education in compliance with school attendance laws for students in grades one to twelve. "Basic academic education" has the same meaning as set forth in section 22-33-104 (2) (b), C.R.S.
- Y. Sealed Containers means any container or receptacle used for holding an alcohol beverage, which is corked or sealed with any stub, stopper, or cap.
- Z. Sell or sale means any of the following: To exchange, barter, or traffic in: to solicit or receive an order for except through a licensee licensed under C.R.S articles 46, 47 or 48; to keep or expose for sale; to serve with meals; to deliver for value or in any way other than gratuitously; to peddle or to possess with intent to sell; to possess or transport in contravention of the C.R.S; to traffic in for any consideration promised or obtained, directly or indirectly.
- AA. Spirituous liquors means any alcohol beverage obtained by distillation, mixed with water and other substances in solution, and includes among other things brandy, rum, whiskey, gin, and every liquid or solid, patented or not, containing at least one-half of one percent alcohol by volume and which is fit for use for beverage purposes. Any liquor or solid containing beer or wine in combination with any other liquor shall not be construed to be

fermented malt or malt or vinous liquor but shall be construed to be spirituous liquor.

- BB. State licensing authority means the executive director of the department of revenue or designees.
- CC. Tastings means the sampling of malt, vinous or spirituous liquors that may occur on the premises of a retail liquor store licensee or liquor licensed drugstore licensee by adult patrons of the licensee pursuant to the provisions of C.R.S. 12-47-301 (10)
- DD. Tavern means an establishment serving malt, vinous and spirituous liquors in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and light snacks are available for consumption on the premises.
- EE. Vinous liquors means wine and fortified wines that contain not less than one-half of one percent and not more than twenty-one percent alcohol by volume and shall be construed to mean an alcohol beverage obtained by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar.
- FF. Vintner's restaurant means a retail establishment that sells food for consumption on the premises and that manufactures not more than two hundred fifty thousand gallons of wine on its premises each year.
- GG. Winery means any establishment where vinous liquors are manufactured; except that the term does not include a vintner's restaurant licensed pursuant to C.R.S. 12-47-420

§3. New License Application

All applications for new licenses to sell fermented malt (3.2% beer) beverages or malt, vinous or spirituous liquors shall be filed with the City Clerk of the City of Greenwood Village, Colorado on forms prepared and furnished by the state licensing authority.

In investigating the fitness of the applicant or a licensee, the authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency.

- A. Each officer, director and stockholder holding over ten percent of the outstanding and issued capital stock of a corporation; each partner of a partnership; each member of a limited liability Company and each manager of the proposed establishment shall be fingerprinted and submit to a background investigation by Colorado Bureau of Investigation.
- B. If the applicant has applied to the State Liquor Enforcement Division for creation of a master file, the City of Greenwood Village will accept a letter from the Liquor Enforcement Division of acknowledgment of such master file. In such case, the City will not require additional fingerprints of the individual but will accept a copy of the individual history record.
- C. The manager and other persons having direct involvement with the sale or service of alcoholic beverages shall complete a course regarding sale of alcoholic beverages approved by the City Clerk.

- D. Following receipt of the application and all required attachments and fees, the submitted application will receive preliminary review by the City's Planning, Finance and Police Departments and South Metro Fire District or Littleton Fire Protection.
- E. Upon receipt of the above reports and the background investigation report from Colorado Bureau of Investigation, the application will be presented to the City Attorney office for review.
- F. The Local Licensing Authority or its designee shall set a date for public hearing which shall be not less than thirty (30) days from the date the complete application was presented to the City Clerk. No application shall go forward until all documents and related materials are complete in every detail.
- G. The Local Licensing Authority or its designee shall set the boundaries of the neighborhood considered affected by the proposed location. The neighborhood shall be deemed to be that area within a radius of one mile from the proposed outlet for all applications except "fermented malt (3.2% beer) beverages". The boundaries of the neighborhood for a fermented malt (3.2% beer) beverage license shall be deemed to be that area within a radius of one and one half miles from the proposed outlet.

§4. Investigation

- A. After the date for the public hearing and boundaries of the neighborhood have been set, the City Clerk shall commence an investigation of the applicant and the premises. Such investigation shall include:
  - 1) a map prepared by the City Clerk at least fifteen days prior to the public hearing, showing the location of the proposed outlet and the location and type of all other licensed premises located within the neighborhood boundaries;
  - 2) whether the licensing authority has denied an application within the last two years, at the same location, for the reason that the reasonable requirements of the neighborhood and the desires of the inhabitants were satisfied by the existing outlets. In the case of a fermented malt (3.2% beer) beverage License, the time period is one year;
  - 3) whether the applicant has legal possession of the premises;
  - 4) that the sale of alcoholic beverages or fermented malt (3.2% beer) beverages at the premises sought to be licensed is not in violation of the zoning, fire, building and other applicable laws of the City of Greenwood Village;
  - 5) that the building in which the malt, vinous, or spirituous liquor is to be sold is not located within 500 feet of any public or parochial school or the principal campus of any college, university, or seminary. This also applies to fermented malt (3.2% beer) beverages. The distance referred to in this paragraph is to be computed by direct measurement from the nearest property line of the land used for school purposes to the nearest portion of the building in which liquor is to be sold, using a route of direct pedestrian access.

- 6) a criminal report from the Colorado Bureau of Investigation on the manager and each officer, director and stockholder holding over ten percent of the outstanding and issued capital stock of a corporation; each partner of a partnership; each member of a limited liability company, as applicable.
- B. All petitions and summaries relating to the needs and desires of the neighborhood shall be submitted to the City Clerk at least 20 days prior to the date of hearing.
  - C. Not less than five days prior to the Public Hearing on the application, the City Clerk shall mail a copy of the Preliminary Findings and Report to the applicant by First Class Mail and/or email, outlining the investigation results.

§5. Public Notice

- A. Upon receipt of a completed application for a new license, the City shall schedule a public hearing not less than thirty days from the date of the application and shall post and publish the public notice thereof not less than ten days prior to such hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made and by publication in a newspaper of general circulation in the county in which the premises are located.
  - 1) The sign used for posting shall be not less than twenty-two inches wide and twenty-six inches high, composed of letters not less than one inch in height and stating the type of license applied for, the date of the application, the date of the hearing, and the name and address of the applicant, and such other information as may be required to fully apprise the public of the nature of the application. If the applicant is a partnership, the sign shall contain the names and addresses of all partners, and if the applicant is a corporation, association, or other organization, the sign shall contain the names and addresses of the president, vice-president, secretary, and manager or other managing officers.
  - 2) Notice given by publication shall contain the same information as that required for signs. The notice is to be published not less than ten days prior to the date of hearing.
  - 3) If the building in which the alcohol beverage is to be sold is in existence at the time of the application, the sign shall be placed on the premises so as to be conspicuous and plainly visible to the general public. If the building is not in existence at the time of the application, the sign shall be posted upon the premises upon which the building is to be constructed in such a manner that it shall be conspicuous and plainly visible to the general public.
- B. Evidence of such posting and publication shall consist of a photograph of the posted sign in place, together with an affidavit of posting and publishers' affidavit of proof of publication.

§6. Public Hearing.

- A. On the date set, a public hearing shall be held on the application, at which time an electronic recording shall be taken of the proceedings. Any party in interest may present evidence and cross-examine witnesses at such hearing. If a steno graphic recording is

requested for the proceedings, the requesting party shall be responsible for the financial costs. If an interpreter is requested for the proceedings, the applicant is responsible for the financial costs.

- B. All hearings before the Authority shall be public and shall be conducted in accordance with the Colorado Liquor Code and/or the Colorado Beer Code.
- C. In addition to introducing its evidence in accordance with the Colorado Liquor Code and/or the Colorado Beer Code, the applicant may present written affidavits of all proposed witnesses, including the applicant's own representative, setting forth the facts and opinions to which the witnesses would testify.

If the evidence presented in the application meets the requirements of the Colorado Liquor Code and/or the Colorado Beer Code, the Authority may approve the applications without the need for oral testimony.

- D. In the event the authority takes into consideration information concerning the applicant's criminal history record, the authority shall also consider any information provided by the applicant regarding such criminal history record, including but not limited to evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicants last criminal conviction and the consideration of the application for a license.
- E. The licensing authority shall not be prohibited from verifying any of the information required to be submitted by an applicant. An applicant shall be required to submit additional information beyond that required in this subsection (3) if the licensing authority has determined any of the following:
  - 1) The applicant has misrepresented a material fact:
  - 2) The applicant has an established criminal history record:
  - 3) A prior criminal or administrative proceeding determined that the applicant violated alcohol beverage laws;
  - 4) The information submitted by an applicant is incomplete; or
  - 5) The character, record, or reputation of the applicant, his or her agent, or his or her principal is such that a potential violation of the Colorado Beer and Liquor Code may occur if a license is issued to the applicant.

F. The Rules and Procedures to conduct a Public Hearing is as follows:

- 1) The licensing authority's designee may administer oaths and issue subpoenas to require the presence of persons and the production of papers, books, and records necessary to the determination of any hearing that the licensing authority is authorized to conduct.
- 2) The licensing authority is not bound by the Colorado Rules of Evidence. However, the Chair of the licensing authority may apply the Rules of Evidence where appropriate, e.g., to exclude evidence or limit testimony which is deemed redundant or immaterial. Likewise, evidence may be excluded or testimony

limited if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or by considerations of undue delay or needless presentation of cumulative evidence.

- 3) The Chair of the licensing authority may permit the parties to introduce rebuttal witnesses and evidence and testimony to the extent that it does not constitute needless presentation of cumulative evidence.
- 4) The Chair of the licensing authority may regulate the course of the hearing, set the time and place for continued hearings, and direct the parties to confer to consider the simplification of the admissions of fact or of documents to avoid unnecessary proof, and limit the number of witnesses.

§7. Decision.

Before granting any license, the authority shall consider the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all other reasonable restrictions that may be placed upon the neighborhood by the local licensing authority.

At the conclusion of the presentation of all evidence the Authority may:

- A. Postpone the matter until the next meeting of the Authority to enable the local authority to consider the facts and evidence for the purpose of formulating a decision;
- B. Adopt a resolution approving the application if the evidence supports the finding that the reasonable requirements of the neighborhood for the type of license for which the application has been made are not currently being met and that the adult inhabitants of the neighborhood desire that this license be issued.
- C. Adopt a resolution denying the application if the evidence does not support the finding that the reasonable requirements of the neighborhood for the type of license for which the application has been made are not currently being met and that the adult inhabitants of the neighborhood not desire that this license be issued; or
- D. Recess the hearing to a date certain for the purpose of receiving additional evidence.
- E. Recess the hearing to executive session for the purpose of receiving legal advice. However, no decision shall be reached in executive session.
- F. Any decision of the local licensing authority approving or denying an application shall be in writing stating the reasons therefore, within thirty days after the date of the public hearing. A copy of such decision shall be sent by certified mail, first class mail or email as requested by the applicant.
- G. After approval of any application, the local licensing authority shall notify the state licensing authority of such approval, who shall investigate and either approve or disapprove such application.
- H. No license shall be issued by the local licensing authority after approval of an

application until the building in which the business is to be conducted has been issued an certificate of occupancy and all conditions addressed in the preliminary report have been met.

- I. The original license shall be posted in a conspicuous place on the licensed premises.

§8. Change in Class of License.

A request for a change in the class of license from that presently held by a licensee shall be considered as an application for a new license.

§9. License Renewals.

- A. All renewal applications for malt, vinous and spirituous liquor licenses, and for fermented malt (3.2% beer) beverage licenses shall be on forms provided by the state licensing authority and must be submitted to the City Clerk not less than forty-five (45) days and to the state licensing authority not less than thirty (30) days prior to the date of expiration, together with the required license fees and renewal application fee.
- B. Ninety (90) days prior to the expiration date of an existing license the City Clerk may notify the licensee by first class mail of such expiration date. It is the obligation of the licensee to submit a timely renewal application notwithstanding a failure of the state or the City Clerk to give timely notice of the expiration date of the license.
- C. If a renewal form has not been received from the State by applicant, the renewal may be submitted on the application form with the notation "Renewal".
- D. In addition to the required forms, attachments and fees required by the state, the following documents should be submitted with the renewal application:
  - 1) Certificate of good standing issued by Secretary of State for corporations.
  - 2) Current lease encompassing at least the period of the renewal.
  - 3) Notarized copy of Statement of Training.
- E. Any violation of law that may have occurred during the previous year may be considered for the renewal of the license.
- F. All licenses shall be valid for a period of one year from the date of issuance, unless previously revoked or suspended.
- G. Upon receipt of the renewal application, the City Clerk shall review the materials submitted for completeness and forward the documentation to the City Attorney for his/her review and recommendation if there is any derogatory information or concerns with the application..
- H. All taxes due the City must be current before a license renewal will be considered for approval of renewal. The City Clerk will request a verification of this from the Finance Department. The City Clerk will request verification from the Police Department as to any problems encountered at the establishment. Both of these factors will be taken into

consideration when making a recommendation to the Authority.

- I. Unless there is evidence to the contrary, it will be presumed that the licensed premises, the business conducted, and the character of the applicant is satisfactory, and that such license continues to meet the requirements of the neighborhood and desires of the inhabitants, and complies with the provisions of the Colorado Beer Code or Colorado Liquor Code and these Regulations. In such a case the City Clerk shall approve the renewal application and forward said application and the required fees to the state licensing authority.
- J. If there is evidence of noncompliance with the items contained in subsection G and/or that the presumptions contained in subsection H above do not apply, the City Clerk shall immediately notify the applicant, in writing, of the objections to approving the renewal application. A public hearing may be held to determine if there is cause to refuse to approve the renewal application. The hearing shall be held only after notice of the hearing has been conspicuously posted on the licensed premises for a period of ten days, and notice of the hearing has been provided the applicant at least ten days prior to the hearing. Said hearing shall be conducted in a manner provided for hearings on revocation or suspension of the type of license involved.
- K. If the renewal application is not submitted to the local licensing authority at least forty-five (45) days prior to the date of expiration, the City Clerk may notify the applicant to appear before the Authority on a date certain to give reasons for the failure to file the renewal application on time. If the Authority determines there is good cause demonstrated for the failure to timely file the application, the Authority may waive the time requirements and grant the renewal application.
- L. The Authority may fine an applicant who has submitted a late renewal application a sum, not to exceed \$250.00, to be paid prior to the renewal of said license. (O-92-45)
- M. If the Authority finds the delay in filing was not based on good cause, the license shall automatically terminate on the expiration date, and any hearing held thereon shall be for a new license.
- N. The Authority, for good cause may waive the forty-five or thirty day time requirements set forth above. The Authority may cause a hearing on the application for renewal to be held. No renewal hearing shall be held by the Authority until a notice of hearing has been conspicuously posted on the licensed premises for a period of ten days and notice of the hearing has been provided to the licensee at least ten days prior to the hearing. The licensing Authority may refuse to renew any license for good cause subject to judicial review.
- O. A licensee whose license has expired for not more than ninety days may file a late renewal application upon the payment of a nonrefundable late application fee of five hundred dollars to the local licensing authority. A licensee who files a late renewal application and pays the requisite fee may continue to operate until both state and local licensing authorities have taken final action to approve or deny such licensee's late renewal application.
- O. No late renewal application shall be accepted after ninety days from the expiration date.

- P. Any Licensee whose permanent annual license has been expired for more than ninety days must apply for a new license and shall not sell or possess for sale any alcohol beverage until all required licenses have been obtained.

§10. Inactive licenses.

The local licensing authority, may revoke or elect not to renew a retail license if it determines that the licensed premises has been inactive, without good cause, for at least one year or, in the case of a retail license approved for a facility that has not been constructed, such facility has not been constructed and placed in operation within two years after approval of the license application or construction of the facility has not commenced within one year after such approval.

§11. Change of Location of a License.

A licensee may move his or her permanent location to any other place in the same city for which the license was originally granted but it shall be unlawful to sell any alcohol beverage at such place until permission to do so is granted by all the licensing authorities. In permitting such change of location, the licensing authority shall consider the reasonable requirements of the neighborhood to which the applicant seeks to change his or her location, the desires of the adult inhabitants as evidenced by petitions, remonstrances, or otherwise, and all reasonable restrictions that are or may be placed upon the new district by the licensing authority.

§12. Changing, Altering or Modifying Licensed Premises.

- A. After issuance of a license, the licensee shall make no physical change, alteration or modification of the licensed premises which materially or substantially alters the licensed premises or the usage of the licensed premises from the plans and specifications submitted at the time of obtaining the original license without the prior written consent of the local and state licensing authorities.
- B. Completion of Request to Change, Alter or Modify Premises Form is required in addition to copies of the interior plans and specifications of the licensed premises which show the premises as presently licensed and the premises proposed after the change, and the required State and City Fees.
- C. In making its decision with respect to any proposed changes, alterations or modifications, the licensing authority must consider whether the premises, as changed, altered or modified, will meet all of the pertinent requirements of *Regulation 47-302* of the Colorado Liquor and Beer Code.
- D. If permission to change, alter or modify the licensed premises is denied, the licensing authority shall give notice in writing and shall state grounds upon which the application was denied. The licensee shall be entitled to a hearing on the denial if a request in writing is made to the licensing authority within fifteen days after the date of notice.

§13. Transfer of Ownership and Temporary Permits.

- A. Application shall be filed with the City Clerk of the City of Greenwood Village, Colorado on forms prepared and furnished by the state licensing authority.

- B. All taxes due the City must be current before a Transfer of Ownership will be considered for approval. The City Clerk will request a verification of this from the Finance Department.
- C. The local licensing authority shall have discretionary authority to issue a temporary permit to a transferee of any retail class of alcohol beverage license issued by the local licensing authority. Such temporary permit shall authorize a transferee to continue selling alcohol beverages as permitted under the permanent license during the period in which an application to transfer the ownership of the license is pending.
- D. A temporary permit shall authorize a transferee to conduct business and sell alcohol beverages at retail in accordance with the license of the transferor subject to compliance with all the following conditions:
  - 1) The premises where such alcohol beverages are sold have been previously licensed by the state and local licensing authorities, and such license shall have been valid at the time the application for transfer of ownership was filed with the local licensing authority that has jurisdiction to approve an application for a temporary permit.
  - 2) The applicant has filed with the local licensing authority on forms provided by the department of revenue an application for the transfer of the liquor license. Such application shall include, but not be limited to, the following information:
    - I) Name and address of the applicant; if the applicant is a partnership, the names and addresses of all the partners; and if the applicant is a corporation, association, or other organization, the names and addresses of the president, vice-president, secretary and managing officer.
    - II) the applicant's financial interest in the proposed transfer;
    - III) the premises for which the temporary permit is sought; and
    - IV) such other information as the local licensing authority may require.
- E. The application for a temporary permit shall be filed no later than thirty days after the filing of the application for transfer of ownership and shall be accompanied by a temporary permit fee not to exceed one hundred dollars.
- F. A temporary permit, if granted shall be issued within five working days after the receipt of such application. A temporary permit issued pursuant to this section shall be valid until such time as the application to transfer ownership of the license to the applicant is granted or denied or for one hundred twenty days, whichever occurs first; except that, if the application to transfer the license has not been granted or denied within the one-hundred-twenty-day period and the transferee demonstrates good cause, the local licensing authority or the City Clerk may extend in its discretion, the validity of said permit for an additional period not to exceed sixty days.

- G. A temporary permit shall also be authorized in the event of a transfer of possession of the licensed premises by operation of law, a petition in bankruptcy pursuant to federal bankruptcy law, the appointment of a receiver, a foreclosure action by a secured party, or a court order dispossessing the prior licensee of all rights of possession pursuant to article 40 of Title 13, C.R.S.
- H. A temporary permit may be canceled, revoked, or summarily suspended if the local or state licensing authority determines that there is probable cause to believe that the transferee has violated any provision of Article 46 or Article 47 or has violated any rule or regulation adopted by the local or state licensing authority or has failed to truthfully disclose those matters required pursuant to the application forms required by the department of revenue.

§14. Change of Corporate Structure.

A licensee shall report each change of corporate officers and directors to the City Clerk within ten days after the change and all required documentation and fees connected therewith shall be submitted within thirty (30) days after such change. Documentation shall be required for transfers of capital stock of a public corporation, except that a report shall not be required for transfers of such stock totaling less than 10% in any one year, but any transfer of a controlling interest shall be reported, regardless of amount. It is unlawful for a licensee to fail to report a change required by this Section and such failure to report shall be grounds for suspension or revocation of the license.

§15. Change of Trade Name.

No licensee shall change the name or trade name of the licensed premises without submitting written notice to the local and state licensing authorities, not less than ten days prior to the change of name. It is unlawful for a licensee to fail to report a change required by this Section and such failure to report shall be grounds for suspension or revocation of the license.

§16. Managers.

Each licensee shall manage such premises himself or employ a separate and distinct manager on the premises who shall be registered with the state and local licensing authorities except for off premises 3.2% beer in which case they will be registered with the City only. No person shall be a registered manager for more than one hotel and restaurant license.

When a person ceases to be a registered manager, for whatever reason, the licensee shall notify the authority within five days and shall designate a new registered manager within thirty days. It is unlawful for a licensee to fail to report a change required by this Section and such failure to report shall be grounds for suspension or revocation of the license.

The authority may refuse to accept any person as a registered manager unless the person has a satisfactory character, record and reputation. In determining a registered manager's character, record, and reputation, the authority may have access to criminal history record information furnished by a criminal justice agency subject to any restrictions imposed by such agency.

§17. Suspension and Revocation of Licenses.

- A. The Authority shall have the power, upon its own motion, or upon complaint, to
  - 1) summarily suspend any license for a period not to exceed fifteen days, or
  - 2) after investigation; upon notice to the licensee subsequent hearing, suspend any license for a period not to exceed six months or to revoke such license. All suspension and revocation hearings shall adhere to the Colorado Liquor Code and/or the Colorado Beer Code.
- B. In the event the licensee is found to have violated any law, rule or regulation, the Authority may require that the licensee shall pay to the Authority the reasonable costs incurred by the Authority, not to exceed One Thousand Five Hundred and 00/100 Dollars (\$1500.00), in investigating and prosecuting the alleged violation. Such costs shall include the reasonable attorney fees of the special counsel appointed to conduct the investigation and present evidence at the hearing, but shall not include any fees or the City Attorney acting as legal adviser to the Authority. The costs imposed pursuant to this section shall be in addition to any suspension or revocation imposed by the Authority for the violation of any rule, law or regulation.
- C. If any license is suspended or revoked, no part of the fees paid therefore shall be returned to the licensee.
- D. The Greenwood Village Liquor Licensing Authority (“authority”) shall have the power and authority, on its own motion or on complaint, after investigation and public hearing at which the licensee shall be afforded an opportunity to be heard, to suspend or revoke any license or permit issued by such authority for any violation by the licensee or by any of the agents, servants, or employees of such licensee of the Colorado Liquor Code, C.R.S. 12-47-101 *et. Seq.*, or any of the rules or regulations authorized pursuant to the Colorado Liquor Code or of any of the terms, conditions, or provisions of the license or permit issued by such authority.
- E. Notice of suspension or revocation, as well as any required notice of such hearing, shall be given by mailing the same in writing to the licensee at the address contained in such license or permit. No such suspension shall be for a longer period than six months. If any license or permit is suspended or revoked, no part of the fees paid therefore shall be returned to the licensee. Any license or permit may be summarily suspended by the issuing licensing authority without notice pending any prosecution, investigation, or public hearing. Nothing in this section shall prevent the summary suspension of such license or permit for a temporary period of not more than fifteen days.
- F. The Rules and procedures to conduct Show Cause hearings are outlined in Section 6E of the Rules and Regulations (page 11)
- G. Whenever the decision of the authority suspending a license or permit for fourteen days or less becomes final, whether by failure of the licensee to appeal the decision or by exhaustion of all appeals and judicial review, the licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of having the license or permit suspended for all or part of the suspension period. Upon the receipt of the petition, the authority may, in its sole discretion, stay the proposed suspension and cause

any investigation to be made which it deems desirable and may, in its sole discretion, grant the petition if it is satisfied:

- 1) that the public welfare and morals would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes;
- 2) that the books and records of the licensee are kept in such a manner that the loss of sales of alcoholic beverages that the licensee would have suffered had the suspension gone into effect can be determined with reasonable accuracy therefrom; and
- 3) that the licensee has not had his or her license or permit suspended or revoked, nor had any suspension stayed by payment of a fine, during the two years immediately preceding the date of the motion or complaint which has resulted in a final decision to suspend the license or permit.

H. The fine accepted shall be the equivalent to twenty (20) percent of the licensee's estimated gross revenues from sales of alcohol beverages during the period of the proposed suspension; except that the fine shall be not less than two hundred dollars (\$200.00) nor more than five thousand dollars (\$5,000.00).

I. Payment of any fine pursuant to the provisions of subsection (c) shall be in the form of cash or in the form of a certified check or cashier's check made payable to authority.

J. Upon payment of the fine pursuant to subsection (c) of this section, the authority shall enter its further order permanently staying the imposition of the suspension. If the fine is paid to the authority, the governing body of the authority shall cause such moneys to be paid into the general fund of the authority.

K. In connection with any petition pursuant to subsection (c) of this section, the power of the authority is limited to the granting of such stays as are necessary for it to complete its investigation and make its findings and, if it makes such findings, to the granting of an order permanently staying the imposition of the entire suspension or that portion of the suspension not otherwise conditionally stayed.

L. If the authority does not make the findings required in subsection (c) of this section and does not order the suspension permanently stayed, the suspension shall go into effect on the operative date finally set by the authority.

#### §18. Duplicate License.

- A. Should a licensee have need for a duplicate license, one will be issued by the City.
- B. The State will also issue duplicate licenses for a fee.
- C. Both City and State licenses should be clearly and prominently displayed in a conspicuous place on the premises at all times.

## II. SPECIAL EVENTS PERMITS

The following regulations shall govern applications for Special Events Permits to the Authority of the City of Greenwood Village, Colorado, acting as local licensing authority pursuant to the provisions of Article 48, Title 12, C.R.S.

§1. General Provisions.

The Authority of the City of Greenwood Village, acting as the local licensing authority, shall receive, process, investigate and approve or deny all applications for special events permits.

§2. Qualifications of Organizations for Special Events Permit.

A special events permit may be issued to certain types of organizations permitting such organizations to sell, by the drink only, 3.2% beer or alcoholic beverages for a limited number of days at a specific location in accordance with Article 48 of Title 12 C.R.S..

- A. To qualify for a special events permit an organization whether or not currently licensed under Articles 46 and 47, Title 12, C.R.S. must be:
  - 1) Incorporated under the laws of the State of Colorado for purposes of a social, fraternal, patriotic, political, or athletic nature and not for pecuniary gain; or
  - 2) A regularly chartered branch, lodge, or chapter of a national nonprofit organization or society organized for social, fraternal, patriotic, political or athletic purposes; or
  - 3) A regularly established religious or philanthropic institution.
  - 4) A political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45, of Title 1, C.R.S.
- B. No permits shall be required for those individuals or candidates campaigning or running for public office and who sponsor fund raising activities; provided that such activities are held in a private home and there is no cash bar in operation.
- C. A special events permit may not be issued to any organization for more than fifteen days in one calendar year but the days need not be consecutive.
- D. An application for special events permit shall not be received or acted upon if the premise upon which the liquor is to be sold is located within 500 feet of any public or parochial school or the principal campus of any college, university or seminary. This restriction does not apply however during hours in which no school classes are scheduled.

§3. Application and Fees.

All applications for special events permits shall be filed with the City Clerk of the City of Greenwood Village, Colorado thirty days prior to the event.

- A. The applicant must agree to abide by the requirements of the current Colorado Liquor Code and all City ordinances and these Liquor Regulations.

- B. The application shall be accompanied by a check payable to the City of Greenwood Village.
- C. Incomplete applications will be rejected and returned to the applicant for completion.
- D. There are no refunds under any circumstances.
- E. Special Event Liquor Permits are non-transferrable to any other location, date or entity once issued.

§4. Action by Authority.

The Authority must verify with the State Licensing Authority that the applicant has not been issued a Special Events Permit exceeding fifteen days in one calendar year.

The Authority must post a public notice on the premises for a period of 10 days prior to the approval of the special event. If protests are received, as a result of posting, a hearing will be held before the Local Authority for approval.

Provided no protest has been received, the City Clerk shall process and approve the application and provide an annual report of Special Events issued to the Authority to the State Licensing Authority.

§5. Grounds for Denial of Special Events Permit.

The local licensing authority may deny the issuance of a special events permit upon the grounds that such issuance would be injurious to the public welfare by reason of its location within the community, or the failure of the applicant in a past special event to conduct such event in compliance with applicable laws and regulations.

§6. Posting of Special Events Permit.

The holder of any type of special events permit issued by the local licensing authority shall clearly and prominently display such permit upon the premises covered by such permit and shall produce the permit to any law enforcement agent or state liquor enforcement officer.

During the event age warning signs, supplied by the City's Clerk's office, must be conspicuously displayed.

§7. Location and Transferability.

The special events permit issued by the local licensing authority is for a specific location as described in the application for such permit and is non-transferable and, therefore, not valid for any other location. The special event permit cannot be transferred to any other organization and is valid only for the day or days specifically included in said permit. A special events permit may not be issued to any organization for a total of more than fifteen ~~ten~~ days in one calendar year.

§8. Exemptions.

These Regulations apply only to the sale of liquor by the drink, and any organization otherwise qualifying hereunder shall be exempt from the provisions of these Regulations and shall be deemed to be dispensing gratuitously and not to be selling fermented malt (3.2% beer) beverages or malt, spirituous or

vinous liquors when it serves, by the drink, such beverages to its members and their guests at a private function held by such organization on unlicensed premises, so long as any admission or other charge, if any, required to be paid or given by any such member as a condition to entry or participation in the event is uniform as to all without regard to whether or not a member or such member's guests consume or do not consume such beverages.

§9. Miscellaneous.

- A. Nothing in these Regulations shall be construed to prohibit the sale or dispensing of malt, vinous or spirituous liquors on any closed street, highway, or public road for which a special events permit has been issued.
- B. A special events permit may be issued to the City of Greenwood Village for events at which productions, exhibits or performances of an artistic or cultural nature are presented, subject to the provisions of the foregoing Regulations.

III. **MISCELLANEOUS PROVISIONS**

§1. Effective Date.

The effective date of these Regulations shall be the 30<sup>th</sup> day of January, 2015.

§2. Duty of Police Officers of Greenwood Village.

It is the duty of all police officers of the City of Greenwood Village to enforce the provisions of these Liquor Regulations and to arrest and complain against any person violating any of the provisions of the Colorado Liquor Code, Colorado Beer Code, or these Regulations.

§3. Judicial Review.

Any person seeking review of the Authority's decision regarding any application or any other matter shall apply to the Arapahoe County District Court for review within thirty days after the date of the decision and shall pay to the City of Greenwood Village the cost of preparing a transcript of the proceedings before the Authority whenever such transcript is demanded by the person seeking review or furnished by the City of Greenwood Village pursuant to an order of Court. For this purpose the cost of preparing and certifying the record the cost of preparing a transcript of testimony before the authority shall be charged at the rate ordinarily charged by certified shorthand reporters and the Village's Fee Schedule.

§4. Petitions.

The applicant or any person opposing the issuance of the license or their agents may circulate petitions. Each person signing a petition may sign only his own name and his address. The date when the signature is affixed to the petition shall be placed on the petition by the signing party. Petitions should bear the affidavit of the circulator but the omission of such affidavit shall not preclude its introduction into the record.

§5. Bed and Breakfast Permits

Bed and Breakfast permits shall not be issued in the City of Greenwood Village.

§6. Optional Premises License

Optional Premises Licenses shall not be issued in the City of Greenwood Village.

§7. Tastings.

Tastings, as that term is defined in C.R.S. § 12-47-103(37.5), shall be allowed at licensed retail liquor stores and liquor-licensed drug stores subject to the requirements and limitations contained in C.R.S. § 12-47-301.

#### IV. FEE SCHEDULE

The following Application and License Fee Schedule is hereby adopted.

##### APPLICATION AND LICENSE FEE SCHEDULE

<u>Application Fee</u>	<u>City</u>	<u>State</u>
1. New Application	\$750.00	\$600.00
2. Renewal Application	100.00	0.00
3. Late Renewal Application Fee	500.00	0.00
4. Change of Location	750.00	150.00
5. Transfer of Ownership	750.00	1025.00
6. Concurrent Review	750.00	700.00
7. Change of Corporate Structure (per person)	100.00	OR 100.00
8. Manager Registration Fee	75.00	75.00
9. Change of Trade/Corporate Name	0.00	50.00
10. Modification of Premises	0.00	150.00
11. Temporary Permit (Pending Transfer)	100.00	00.00
12. Duplicate license	0.00	50.00

<u>License Fee</u>	<u>City</u>	<u>State</u>	<u>Total</u>
1. Retail Liquor Store License	\$22.50	\$227.50	\$250.00
2. Liquor Licensed Drug Store	22.50	227.50	250.00
3. Beer and Wine License	48.75	351.25	400.00
4. Hotel and Restaurant License	75.00	500.00	575.00
5. Tavern License	75.00	500.00	575.00
6. Club License	41.25	308.75	350.00
7. Arts License	41.25	308.75	350.00
8. Brew Pub	75.00	750.00	825.00
9. Resort Complex License	75.00	500.00	575.00
10. 3.2% Beer License	3.75	96.25	100.00
11. Special Events Permit (Liquor)	100/event	0.00	100.00
12. Special Events Permit (3.2% Beer)	100/event	0.00	100.00
13. Mini Bar Permit	325.00	0.00	325.00
14. Delivery Permit	0.00	0.00	0.00

In addition to the above fees, a separate corporate or certified check, payable to Colorado Bureau of Investigation, in the amount required by that agency for each character investigation, should be submitted with each fingerprint card.

## V. VIOLATIONS; PENALTIES

§1. For premises licensed as a retail liquor store the following shall be the mandatory minimum penalties for violations of the Colorado Liquor Code and the Colorado Beer Code:

First offense in 3 years: 6 days suspension, with 2 days to be served and 4 stayed

Second offense in 3 years: 3 days suspension, all of which to be served

Third offense in 3 years: Revocation

§2. For all other licensed premises, the following shall be the mandatory minimum penalties for sales of alcoholic beverages to underage persons in violation of the Colorado Liquor Code and the Colorado Beer Code:

First offense in 3 years: 7 days suspension, with 3 days to be served and 4 stayed

Second offense in 3 years: 5 days suspension, all of which to be served

Third offense in 3 years: Revocation

§3. The penalties are set forth by Ordinance, shall be mandatory minimum penalties, and shall not be reduced or waived by the City for any reason, by agreement or otherwise.

§4. Nothing in these Regulations shall be construed to prohibit the City Council from exceeding these mandatory minimum penalties, or from assessing fines in addition to the mandatory minimum penalties. (Ordinance No. 16-2001)

§5. Violations and penalties regarding Illegal Possession and Consumption by an Underage Person are set forth in the Greenwood Village Code, Section 9-12-125.

§6. In addition to the penalties outlined above, any fines or penalties in Section 9-12-122 apply to such Violations of the State Statutes, State Regulations, or City Regulations.