



# FRUITA COLORADO

## AGENDA ITEM COVER SHEET

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**TO:** FRUITA CITY COUNCIL AND MAYOR

**FROM:** DEBRA WOODS, DEPUTY CITY CLERK

**DATE:** JUNE 17, 2024

**AGENDA TEXT:** LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Brew Pub Liquor License – Malt, Vinous and Spirituous (City) for Copper Club Brewing Co. located at 153 N. Mulberry St.

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### BACKGROUND

The Brew Pub Liquor License for Copper Club Brewing Co. located at 153 N. Mulberry St. is up for renewal. Their current license expires on **September 7, 2024**.

The Fruita Police Department provided the City Clerk's Office with the following incident reports of calls for service that occurred over the last year at 153 N. Mulberry Street:

WELFARE	Welfare check – check on the condition of a person	1
CODE 5	Someone possibly experiencing a mental crisis	1
REDDI	Report of intoxicated person driving or getting ready to drive (Report Every Drunk Driver Immediately)	1
SUSP	Suspicious person or incident	1

Lieutenant Nick Peck advised that it would be good for the City Council to be aware of the number of calls for service on the applicant's property but noted that there is nothing that would hinder the renewal of the liquor license.

The City Clerk's office has seven (7) current Alcohol Server Responsibility Certificates on file for the owners and employees of the Copper Club Brewing Co. who attended a training session hosted by the City in August of 2023. Staff will schedule another Server Responsibility session with the trainer either in the fall of 2024 or spring of 2025 for all interested liquor license owners, managers and staff. Staff will notify all liquor licensees in Fruita once either of the trainings have been scheduled.

The following information is provided as background on the liquor license renewal process:

Pursuant to State Statutes, the local licensing authority (City Council) may cause a hearing on the application for renewal to be held. No renewal hearing shall be held 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 the applicant at least ten days prior to the hearing. The licensing authority may refuse to renew any license for good cause, subject to judicial review.

This item is placed on the Consent agenda for the Council to determine if there is any cause for a hearing to be held on the renewal of the liquor license. If there is no cause for a hearing, the City Council should approve the renewal of the existing license. If there is cause for a hearing, the City Council should set a date to hold a quasi-judicial hearing to determine if there are sufficient grounds for suspension or revocation of the liquor license. The City Council may also temporarily suspend any license, without notice, pending any prosecution, investigation or public hearing. No such suspension shall be for a period of more than 15 days.

### **FISCAL IMPACT**

None.

### **APPLICABILITY TO CITY GOALS AND OBJECTIVES**

The City of Fruita is charged with protection of the public health, safety and welfare. The review and renewal of liquor licenses ensures that licensed establishments are operating by the rules and regulations adopted by the City and State concerning the sale or service of beer and alcoholic beverages.

### **OPTIONS AVAILABLE TO THE COUNCIL**

1. Renew the Brew Pub (City) Liquor License for Copper Club Brewing Co. in Fruita.
2. Schedule a hearing date to determine if there is good cause for the license to be suspended or revoked.

### **RECOMMENDATION**

It is the recommendation of staff that the Council move to:

- **RENEW THE BREW PUB LIQUOR LICENSE FOR COPPER CLUB BREWING CO. LOCATED AT 153 N. MULBERRY ST.**