



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: DEBRA WOODS, DEPUTY CITY CLERK

DATE: AUGUST 3, 2021

RE: SPECIAL EVENT LIQUOR PERMIT APPLICATION - A REQUEST TO APPROVE A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRUITA ROTARY CLUB TO SELL BEER AT THE MIKE THE HEADLESS CHICKEN FESTIVAL AT CIVIC CENTER MEMORIAL PARK ON:

- FRIDAY, AUGUST 27, 2021 FROM 3:00 PM TO 10:00 PM
- SATURDAY, AUGUST 28, 2021 FROM 10:00 AM TO 10:00 PM

BACKGROUND

In order to sell alcohol at community events, State law requires that a not-for-profit or current liquor license holder apply for a special events liquor permit. The applicant is required to uphold the standards and requirements placed on them by the City.

The Fruita Rotary Club is requesting to sell beer at the Mike the Headless Chicken Festival at Civic Center Memorial Park including the parking lot, one block of Aspen Avenue between N. Peach Street and N. Elm Street, and a partial block of N. Peach Street from Aspen Avenue to the northernmost entrance of the parking lot at the Fruita Civic Center. The licensed area as marked on the attached map will be enclosed by metal fencing.

The Rotary Club states in their narrative that Rotarians will monitor entrances to the licensed area to make sure no alcohol enters or exits the licensed area. Signs will also be posted along the perimeter indicating that no alcohol can be brought into or exit the area. Rotarians will also monitor patrons and the consumption of alcohol to prevent any patrons from becoming overly intoxicated. Fruita PD will be notified if any activity escalates beyond the control of the Fruita Rotary Club. The Fruita Police Department has reviewed the Rotary's application and they have no issues which would prohibit the issuance of the Special Events Permit.

The Special Event application, Fruita Police Department's memorandum, narrative for the event, and diagram are attached.

FISCAL IMPACT

None

APPLICABILITY TO CITY GOALS AND OBJECTIVES

None

OPTIONS AVAILABLE TO THE COUNCIL

- Approval of the Special Events Permit for the Fruita Rotary Club to sell beer at Civic Center Park during the Mike the Headless Chicken Festival with stated conditions
- Denial of the Special Events Permit
- Approve the permit with modified conditions

RECOMMENDATION

IT IS THE RECOMMENDATION OF STAFF THAT THE CITY COUNCIL BY MOTION:

APPROVE THE APPLICATION FOR A SPECIAL EVENTS PERMIT FOR THE FRUITA ROTARY CLUB TO SELL BEER DURING THE MIKE THE HEADLESS CHICKEN FESTIVAL AT CIVIC CENTER PARK ON:

- **FRIDAY, AUGUST 27, 2021 FROM 3:00 PM TO 10:00 PM**
- **SATURDAY, AUGUST 28, 2021 FROM 10:00 AM TO 10:00 PM**

SUBJECT TO THE FOLLOWING CONDITIONS:

- **THE ROTARY WILL BE SOLELY RESPONSIBLE FOR THE ENFORCEMENT OF LIQUOR LAWS.**
- **ALL OTHER PROCEDURES PRESENTED BY THE ROTARY CLUB WILL BE FOLLOWED.**

Departmental Use Only

In order to qualify for a Special Events Permit, You Must Be Nonprofit and One of the Following (See back for details.)

- ☐ Social ☐ Athletic ☐ Philanthropic Institution
☐ Fraternal ☒ Chartered Branch, Lodge Or Chapter ☐ Political Candidate
☐ Patriotic ☒ Of A National Organization Or Society ☐ Municipality Owning Arts Facilities
☐ Political ☐ Religious Institution

LIAB	Type of Special Event Applicant Is Applying for:	DO NOT WRITE IN THIS SPACE
2110 <input checked="" type="checkbox"/>	Malt, Vinous And Spirituous Liquor	Liquor Permit Number
2170 <input type="checkbox"/>	Fermented Malt Beverage (3 2 Beer)	
	\$25 00 Per Day	
	\$10 00 Per Day	

1. Name of Applicant Organization or Political Candidate Fruita Rotary Club	State Sales Tax Number (Required) 27-15995-0000
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<p>2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)</p> <p>PO BOX 471 FRUITA, CO 81521</p>	<p>3. Address of Place to Have Special Event (include street, city/town and ZIP)</p> <p>CIVIC CENTER PARK 325 E Aspen Ave Fruita, CO 81521</p>
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Name	Date of Birth	Home Address (Street, City, State, ZIP)	Phone Number
4. Pres./Sec'y of Org. or Political Candidate Kyle Hunke	10/21/1955	2926 Beechwood Ave, Grand Junction, CO	970-640-8004

5. Event Manager	Lou Mudd	01/18/55	126 S Maple St, Fruita, CO 81521	970-201-4881
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6. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?
☒ NO ☐ YES HOW MANY DAYS? 4

7. Is premises now licensed under state liquor or beer code?
☒ NO ☐ YES TO WHOM? _____

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? ☒ Yes ☐ No

List Below the Exact Date(s) for Which Application is Being Made for Permit											
Date	Hours	From	To	Date	Hours	From	To	Date	Hours	From	To
8/27/2021		3:00 p.m.	10:00 p.m.	8/28/2021		10:00 a.m.	10:00 p.m.				

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature <i>Leah Muel</i>	Title event manager	Date 7/14/2021
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Report and Approval of Local Licensing Authority (City or County)
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.
THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) The City of Fruita		<input checked="" type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk (970) 858-3603
Signature		Title JOEL KINKAID, MAYOR	Date

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

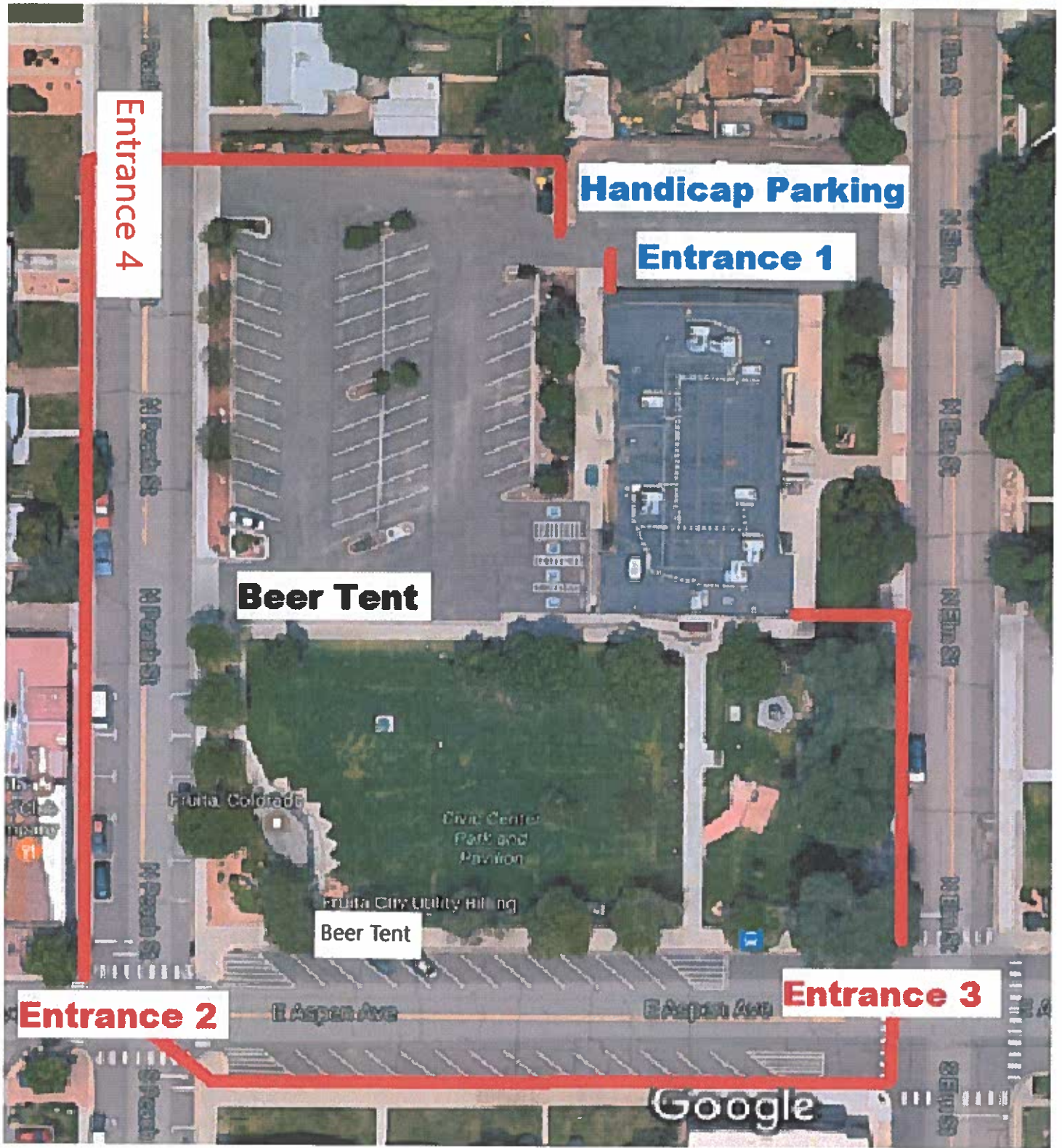
Liability Information

License Account Number	Liability Date	State	Total
		<div data-bbox="867 1738 976 1747">-750 (000)</div>	<div data-bbox="1003 1738 1029 1747">\$</div> <div data-bbox="1289 1743 1304 1747">.</div>

Mike the Headless Chicken Days
May 27, 28 , 2021
Special Event Permit Narrative

The Fruita Rotary Club has served beer at this event since it began several years ago.

- 1) **Description:** Mike the Headless Chicken Days is an event held each year in Fruita celebrating the life of a chicken that lost its head. The Fruita Rotary Club will provide beer sales during this event.
- 2) **Security:** Rotary Club members and other volunteers will monitor entrances to the licensed area to make sure no alcohol enters or exits the area. Signs will be posted along the perimeter indicating that no alcohol can be brought into or exit the area.
- 3) **Crowd Control:** Rotarians will monitor patrons and the consumption of alcohol to prevent any patrons from becoming overly intoxicated, and stop serving anyone who is intoxicated. Fruita PD will be notified if any activity escalates beyond the control of Fruita Rotary Club.
- 4) **Fencing/Barriers:** The licensed area as marked on the attached map will be enclosed by metal fencing.
- 5) **Toilets:** Porta-Potties will be located near the north side of the fenced area.
- 6) **Signage:** Signs will be posted at each entrance/exit indicating no alcohol allowed into or out of the licensed premise.
- 7) **ID's:** ID's will be checked by Fruita Rotary members and issued a wristband indicating that their ID has been checked for legal consumption age.
- 8) Most Fruita Rotarians have been TIPS trained and will be present at this event.
- 9) **Trash:** Rotarians will patrol the area and pick up empty beverage containers to keep premises clean and neat.
- 10) **Food:** Food vendors will be available within the licensed area during hours of operation.



Fruita Police Department

Chief David Krouse



157 S. Mesa St
Fruita, CO 81521

970-858-3008 Phone
970-858-3665 Fax
www.fruita.org

To: Debra Woods
From: Dave Krouse, Chief of Police
Date: July 26, 2021
Re: 2021Mike the Headless Chicken Festival Special Event Liquor Permit

The application and narrative have been reviewed. There is nothing which would prohibit the issuance of the license requested.

The licensee needs to be aware they are solely responsible for control of the licensed premises in regard to alcohol possession, consumption and adherence to state and municipal laws.

Permission to use Civic Center Park for Mike The Headless Chicken Days beer garden has been approved by Tom Casal at Fruita Parks Dept.

If additional details are needed please contact Tom Casal at FCC



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/14/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, Inc. 2850 Golf Road Rolling Meadows IL 60008		CONTACT NAME: Ali Sulita PHONE (A/C, No, Ext): 1-833-3ROTARY E-MAIL ADDRESS: rotary@ajg.com FAX (A/C, No): 630-285-4082		
INSURED All Active US Rotary Clubs & Districts Fruita Rotary Club ATTN: Risk Management Dept. 1560 Sherman Ave. Evanston, IL 60201-3698		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Lexington Insurance Company		19437
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 899307648

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y		015375594	7/1/2021	7/1/2022	EACH OCCURRENCE \$2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$2,000,000 GENERAL AGGREGATE \$4,000,000 PRODUCTS - COMP/OP AGG \$4,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			015375594	7/1/2021	7/1/2022	COMBINED SINGLE LIMIT (Ea accident) \$2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		NOT APPLICABLE			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Certificate Holder is included as an additional insured where required by written contract or permit subject to the terms and conditions of the general liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.

CERTIFICATE HOLDER

CANCELLATION

City of Fruita, 325 E Aspen St, Fruita, CO 81521 Fruita Rotary Club Event: Mike The Headless Chicken Days, August 27, 28, 2021	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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