

Chapter 5.24 LIQUOR AND BEER LOCAL LICENSING

5.24.010 Liquor license applications and permits.

It is unlawful for any person to operate a liquor establishment within the Town without first having been issued a business license by the Town Clerk's office. In addition to the business license requirements of this title, liquor establishments shall have and maintain all necessary liquor licenses and permits, which are issued in conjunction with the Colorado Liquor Enforcement Division and shall require approval of the initial liquor license application by the Town Board of Trustees, acting as the Local Liquor Licensing Authority pursuant to C.R.S. § 12-47-311(1), when applicable.

5.24.020 Licensing application fees.

In addition to the license fee as established by state statute, each application for a license shall be accompanied by a local license fee in an amount as established by the Town Board in the Master Fee Schedule.

5.24.030 Renewals, transfers, and modification of premises applications.

The Town Board, acting as the Local Liquor Licensing Authority, hereby elects to exercise local control over the approval of applications for liquor license renewal, transfer of ownership, and modification of premises, and authorizes the Town Clerk to approve applications administratively in accordance with this section except where, upon reasonable investigation or evidence, the Town Clerk believes there may exist good cause for denial of such application pursuant to Section 44-3-301, et seq., C.R.S., in which case the Town Clerk shall refer such application to the Town Board of Trustees, acting as the Local Licensing Authority, and a hearing thereon shall be held.

The provision of this section notwithstanding, the Town Clerk or designee shall report to the Colorado Liquor Enforcement Division, the name of the organization to which the renewal, transfer and/or modification of premises was approved, as well as all supporting documentation required by the Division.

Upon receipt of an application for a liquor license renewal, transfer of ownership, or modification of premises, the Town Clerk or designee shall assemble the file of the applicant and review the file to determine whether "good cause" is present for non-renewal, transfer of ownership, or modification of premises. Whether "good cause" is present is a fact-specific inquiry depending on the circumstances of the case and may be based on evidence that continuation of the license would be contrary to the public interest, as well as the conduct of the licensee. If the Town Clerk's review indicates no facts or circumstances supporting "good cause" for non-renewal or transfer of ownership, the Town Clerk shall approve the renewal application, transfer of ownership, or modification of premises application at the local level and forward the application to the State. However, in the event the renewal application, transfer of ownership application, or modification of premises application shows good cause exists for non-renewal, non-transfer of ownership, or non-modification of premises, or is made by a financial institution which came into possession of the license by virtue of a deed in lieu of foreclosure, a hearing shall be held before the Town Board of Trustees as the Local Liquor Licensing Authority.

5.24.040 Special event permit.

The Town Board of Trustees, acting as the Local Liquor Licensing Authority authorizes the Town Clerk to review and approve applications for special events upon completion of each of the following acts or determinations:

- a. The timely submission of a complete application and the payment of all fees by the applicant.

b. The referral of the application by the Town Clerk to the Police Department and other appropriate Town departments for review and comment.

c. The timely and proper posting of a conspicuous public notice of the proposed license and protest procedures at the location sought to be licensed.

d. Whether the application and applicant satisfy the eligibility criteria set forth in Sections 44-5-102 and 44-5-103, C.R.S.

e. Whether there exists facts or information on the application, or as provided in referral comments or a protest against the license filed by affected persons, illustrating grounds or good cause to deny the application.