

ORDINANCE NO. 5010

AN ORDINANCE FOR OPTIONAL PREMISES LICENSE FOR THE HOTEL MAVERICK LOCATED AT 780, 800, 810, 820, 830, 840 KENNEDY AVENUE, 769, 803, 809, 817, 833, 843, 855, 774, 780, 818, 820, 830, 834, ELM AVENUE, AND 803, 811, 819 AND 827 TEXAS AVENUE, GRAND JUNCTION, COLORADO

The City Council of Grand Junction makes the following findings:

1. Colorado law (§§12-47-310 and 413 C.R.S.) permit a municipality to pass an ordinance to provide optional premises licenses for an applicant to sell, dispense or serve alcohol beverages at locations designated by the applicant and approved by the State and local licensing authorities. The service area must be designated annually and upon designation of the areas for service no alcohol beverages may be served without the licensee having provided 48 hours notice prior to serving.
2. Service of alcohol beverages at and within designated areas at or near the Hotel Maverick on the Colorado Mesa University (CMU) campus would benefit the patrons of that facility and ensure that alcohol service is done lawfully and with full benefit of a professional management, supervision and regulation.
3. This ordinance refers only to the locations and facilities named and specifically to the designated service areas contained within and as defined by those facilities and does not affect the status of any other liquor license(s) or lack thereof, of any other similar recreational facility.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

Section 1. Definitions. For the purposes of this ordinance, the following words or phrases shall have the meanings set forth.

- a. *Optional premises license* means the same as that defined in the Colorado Liquor Code under § 12-47-310(4) and 12-47-413, C.R.S. The licenses authorized in and by this ordinance are "optional premises licenses" which are separate and apart from the hotel-restaurant license serving the Hotel Maverick. The location designated herein may be referred to singularly or collectively as an "optional premise" or as the "optional premise" unless the context otherwise requires.
- b. *Applicant or Licensee*, for the purpose of this license means Colorado Mesa University dba Hotel Maverick.

Section 2. Standards. The following standards are for the issuance of an optional premises license for the Hotel Maverick on the CMU campus located at 780, 800, 810, 820, 830, 840 Kennedy Avenue, 769, 803, 809, 817, 833, 843, 855, 774, 780, 818, 820, 830, 834, Elm Avenue, and, 803, 811, 819 and 827 Texas Avenue, Grand Junction, Colorado.

The Licensee shall at all times when exercising the license adhere to the applicable requirements and all other standards applicable to the consideration and/or issuance of licenses under the Colorado Liquor Code and any and all applicable local laws, rules and regulations.

The Licensee shall diligently enforce all rules and regulations pertaining to underage service, over service and the provision of food when serving alcohol.

Section 3. Form of Application. Application for the optional premises license shall be made to the City Clerk on forms, which shall contain the following information in addition to information, required by the State. The Application was heard publicly and conditionally approved by the Grand Junction Liquor and Beer Licensing Authority (Local Authority) on June, 16, 2021. Certain aspects of the Application are referenced below with a copy of the Application being attached and incorporated by this reference as if fully set forth. The Application includes and describes:

- (1) An illustration of the optional premises boundaries and the location of the proposed optional premises license requested; and
- (2) A description of the method which shall be used to identify the boundaries of the optional premises license when it is in use and how the licensee will ensure alcohol beverages are not removed from such premises. The Applicant has represented that the optional premises will be used for different events as requested by customers of the Hotel Maverick. The Applicant further represents that the optional premises be used for weddings, celebrations, reunions, *etc.* The size of the area used will be determined by the anticipated size of the event. Temporary fencing will be placed around the needed area to control the area of alcohol consumption. Examples of the fencing to be used are attached; and
- (3) A description of provisions, including a description of facilities, which have been made for storing the alcohol beverages in a secured area on or off the optional premises and for future use on the optional premises if or when alcohol beverages are not served including that all alcohol will be stored in the designated and approved areas in the Hotel Maverick. The alcohol will be transported to the event location via a shuttle vehicle like a golf cart for service at a temporary bar; and,
- (4) A description of the provisions which will be implemented to control over service, prevent underage service of alcohol beverages and for food service.

The Hotel Maverick staff will endeavor to provide more than 48 hours' notice. It is anticipated that most events will be booked with deposits weeks, if not months, in advance.

- (5) Operational Relationship - The Hotel Maverick and its staff will operate all events held at the optional premises. The staff will be trained by Hotel Maverick and the optional premises shall be managed and under the control of the Hotel management and staff.

Section 4. Eligibility. The Applicant is the owner of the premises.

Section 5. Size of Premises. There is no minimum or maximum size within the constraints of the designated optional premises area. The optional premises license shall not be exercised to interfere with public access or inhibit the safety of persons using/accessing the facility(ies).

Section 6. Additional Conditions. Nothing contained in this ordinance shall preclude the Local Authority in its discretion, from imposing conditions, restrictions, or limitations on an optional premises license in order to protect the public health, safety and welfare. Any such conditions may be imposed when the license is initially issued, issued for any specific event, or renewed. The Authority shall have the right to deny any request for an optional premises license or it may suspend or revoke the optional premises license in accordance with the procedures specified by law.

Section 7. Notice filed with the Liquor Licensing Authority. It shall be unlawful for alcohol beverages to be served on the optional premises until the optional premises licensee has filed written notice with the State and the Local Authority stating the specific days and hours during which the optional premises will be used. Notice must be recorded with the State and Local Authority 48 hours prior to serving alcohol beverages on the optional premises. Such notice shall contain the specific days and hours on which the optional premises will be used for the consumption of alcohol beverages.

INTRODUCED ON FIRST READING THIS 16th day of June 2021.

PASSED AND ADOPTED ON SECOND READING THIS 7th day of July 2021.



President of the Council



ATTEST:



Deputy City Clerk

I HEREBY CERTIFY THAT the foregoing Ordinance, being Ordinance No. 5010 was introduced by the City Council of the City of Grand Junction, Colorado at a regular meeting of said body held on the 16th day of June 2021 and the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, in pamphlet form, at least ten days before its final passage.

I FURTHER CERTIFY THAT a Public Hearing was held on the 7th day of July 2021, at which Ordinance No. 5010 was read, considered, adopted and ordered published in pamphlet form by the Grand Junction City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 9th day of July 2021.


Deputy City Clerk

Published: June 18, 2021
Published: July 9, 2021
Effective: August 8, 2021

