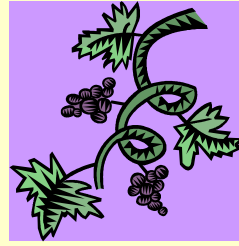


Grapevine



CITY OF
Grand Junction
COLORADO

VOLUME 47

JULY 2013

Newsletter prepared by:
City of Grand Junction
Office of the City Clerk
250 North 5th Street
Grand Junction, CO 81501
Email: juanitap@gjcity.org.



Summer time means a lot of different things for different folks....keep in mind there will be new legislation in August, more people having a good time with summer time festivities like boating, outdoor sports, ballgames, and other numerous events in the community. Be safe in all you do!

Infusions.....what are they....are they allowed??

There has been some establishments that are-making "infusions" in liquor bottles. Infusing spirits most commonly with fruit, spices, and herbs in vodka, gin, rum, and other spirits. This creates a custom flavored spirit. Upon inspection, the bottles had to be poured out as nothing is allowed to be put in a liquor bottle. You are able to make "infusions" in other carafes or pitchers, just not in the liquor bottle. Here is the statute pertaining to refilling:

Regulation 47-904. Product Labeling, Substitution, Sampling and Analysis.

- A. No licensee, for the sale of alcohol beverages for consumption on the premises where sold, shall maintain thereon any container of alcohol beverage which contains any such substance other than that contained at the time such container was received by or delivered to the licensee.**
- B. No licensee, for the sale of alcohol beverages for consumption on the premises where sold, shall substitute one brand, type, or alcohol content of alcohol beverages for that which has been specifically requested by a customer, unless the customer expressly consents to the substitution.**
- C. Excepting manufacturers, no licensee shall refill or permit the refilling of any alcohol beverage container with alcohol beverage or reuse any such container by adding distilled spirits or any substance, including water, to the original contents or any portion of such original contents. There shall be no prohibition against the use of carafes, pitchers or similar serving containers.**



Senate Bill 13-043

CONCERNING THE PROHIBITION AGAINST KNOWINGLY PERMITTING REMOVAL OF ALCOHOL BEVERAGES FROM AN ESTABLISHMENT LICENSED TO SELL ALCOHOL BEVERAGES FOR ON-PREMISES CONSUMPTION...

In a nut-shell....Licensed establishments will no longer be held administratively responsible (starting in August) for patrons that remove alcohol from the premises, as long as they have a sign (approved by the State) hung by their exits. It will be the licensee's responsibility to obtain the sign. The sign is at least ten inches wide and six inches high by each exit used by the public that contains the following notice in type that is at least one-half inch in height.



WARNING
DO NOT LEAVE THE PREMISES OF THIS ESTABLISHMENT WITH AN ALCOHOL BEVERAGE. IT IS ILLEGAL TO CONSUME AN ALCOHOL BEVERAGE IN A PUBLIC PLACE.
A FINE OF UP TO \$250 MAY BE IMPOSED BY THE COURTS FOR A VIOLATION OF THIS

However, regardless of whether a licensee posts a sign as specified, the licensee may be charged with knowingly permitting the removal of an alcohol beverage from the licensed premises if the licensee shows reckless disregard for the prohibition against alcohol beverage removal from the licensed premises, which may include permitting the removal of an alcohol beverage from the licensed premises *three times* within a 12 month period, regardless of whether the three incidents occur on the same day or separate days. A licensee may be charged with knowingly permitting the removal of an alcohol beverage from the licensed premises upon the third occurrence of alcohol beverage removal from the licensed premises.

This does not preclude a licensee from permitting a customer to remove from the licensed premises one opened container of partially consumed vinous liquor that was purchased on the licensed premises and has been resealed, as permitted.

Senate Bill 13-059

CONCERNING THE ABILITY OF A PEACE OFFICER TO OBTAIN AN ALCOHOL BEVERAGE LICENSE.

12-47-307. Persons prohibited as licensees.

A peace officer may not be issued or hold a license that is located within the same jurisdiction that employs the peace officer.

At a later date the State will have the complete updates added to the code and available On-line.

Other News...

Approximately 52% of college age kids have a fake ID. Lisa Maestas with State Liquor Enforcement Division will be teaching a class to spot "Fake ID's". The City of Grand Junction will be hosting this training on July 29th at 1:00 p.m. This is again a "FREE" class offered just like our "Seller/Server Responsibility Training". The length will be approximately 1 1/2 hours. There are different techniques and questions to ask to verify false and fraudulent ID's; methods to obtain them; skills to uncover them; and examples to look at. Also this will be an opportunity to sign up for a "COPS IN SHOPS" session that has been so successful. This is where the State Investigators come in and work with your employees to help find fake ID's, and they take immediate action against any minors that are trying to use fake ID's in the establishment. The "Fake ID's" class will be held at City Hall Auditorium, 250 N. 5th Street, and we will be sending out flyers in the near future.

Future Seller/Server Responsibility Trainings are listed below:

Thursday, August 22, 2013, 5 p.m. to 8 p.m.
Wednesday, October 23, 2013, 1 p.m. to 4 p.m.
Thursday, December 12, 2013, 5 p.m. to 8 p.m.

Numbers

*City Clerk's Office
(970) 244-1510*

*Division of Liquor Enforcement
(303) 205-2300*

*Local State Liquor Enforcement Investigators Brian
Turner, Lori Garrison, and Lisa Maestas
(970) 248-7133*

*City of Grand Junction Liquor Enforcement
(970) 244-3612*

Some have still been surprised about the new renewal form so I provide the information again

Liquor License Renewal Applications

As many of you already know, the State Liquor Enforcement office has revised the liquor license renewal application. It is now a one page form instead of the previous two page form. The State mails out the renewal form to the mailing address they have on file for each liquor licensee approximately 120 days prior to the expiration of the liquor license. The renewal form, along with checks for both State fees and City fees are due in the City Clerk's office 45 days prior to the expiration of the liquor license. If the 45 day time frame is getting close and you have not received the renewal form, you can go the State's Liquor Enforcement website at <http://www.colorado.gov/revenue/liquor>, under forms and publications, and find the Renewal Application Form (DR8400). It is a fillable Adobe PDF form, so you can complete it online, print it out, sign and date it, and submit it to the City Clerk's Office within the 45 day time frame. Keep in mind that a liquor license can still be renewed within 90 days after the liquor license expires. BUT, there is a \$500 fee for filing a renewal application after the expiration date. Once a liquor license expires, no alcohol beverages can be served if a renewal application has not been filed with the City Clerk's office.

DR 8400 (Revised 08/01/12) COLORADO DEPARTMENT OF REVENUE LIQUOR ENFORCEMENT DIVISION SUBMIT TO LOCAL LICENSING AUTHORITY		LIQUOR OR 3.2 BEER LICENSE RENEWAL APPLICATION		<table border="1"> <tr><td colspan="2">Fees Due</td></tr> <tr><td>Renewal Fee</td><td>_____</td></tr> <tr><td>Storage Permit \$100 x _____</td><td>_____</td></tr> <tr><td>Optional Premise \$100 x _____</td><td>_____</td></tr> <tr><td>Amount Due/Paid</td><td>_____</td></tr> </table>		Fees Due		Renewal Fee	_____	Storage Permit \$100 x _____	_____	Optional Premise \$100 x _____	_____	Amount Due/Paid	_____
Fees Due															
Renewal Fee	_____														
Storage Permit \$100 x _____	_____														
Optional Premise \$100 x _____	_____														
Amount Due/Paid	_____														
<small>Make checks payable to Colorado Department of Revenue. The State may convert your check to a one-time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is returned due to insufficient or uncollected funds, the Department may collect the payment amount directly from your banking account electronically.</small>															
PLEASE VERIFY & UPDATE ALL INFORMATION BELOW			RETURN TO CITY OR COUNTY LICENSING AUTHORITY BY DUE DATE												
Licensee Name		DBA													
Liquor License #	License Type	Sales Tax License #	Expiration Date	Due Date											
Street Address			Phone Number												
Mailing Address															
Operating Manager	Date of Birth	Home Address		Phone Number											
<p>1. Do you have legal possession of the premises at the street address above? <input type="checkbox"/> YES <input type="checkbox"/> NO Is the premises owned or rented? <input type="checkbox"/> Owned <input type="checkbox"/> Rented *If rented, expiration date of lease _____</p> <p>2. Since the date of filing of the last annual application, has there been any change in financial interest (new notes, loans, owners, etc.) or organizational structure (addition or deletion of officers, directors, managing members or general partners)? If yes, explain in detail and attach a listing of all liquor businesses in which these new lenders, owners (other than licensed financial institutions), officers, directors, managing members, or general partners are materially interested. <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>NOTE TO CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP APPLICANTS: If you have added or deleted any officers, directors, managing members, general partners or persons with 10% or more interest in your business, you must complete and return immediately to your Local Licensing Authority, Form DR 8177: Corporation, Limited Liability Company or Partnership Report of Changes, along with all supporting documentation and fees.</p> <p>3. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been convicted of a crime? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>4. Since the date of filing of the last annual application, has the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) been denied an alcohol beverage license, had an alcohol beverage license suspended or revoked, or had interest in any entity that had an alcohol beverage license denied, suspended or revoked? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>5. Does the applicant or any of its agents, owners, managers, partners or lenders (other than licensed financial institutions) have a direct or indirect interest in any other Colorado liquor license, including loans to or from any licensee or interest in a loan to any licensee? If yes, attach a detailed explanation. <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>6. SOLE PROPRIETORSHIPS, HUSBAND-WIFE PARTNERSHIPS AND PARTNERS IN GENERAL PARTNERSHIPS: Each person must complete and sign the DR 4679: Affidavit - Restriction on Public Benefits (available online or by calling 303-205-2300) and attach a copy of their driver's license, state-issued ID or valid passport.</p>															
AFFIRMATION & CONSENT															
<i>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>															
Type or Print Name of Applicant/Authorized Agent of Business			Title												
Signature			Date												
REPORT & APPROVAL OF CITY OR COUNTY LICENSING AUTHORITY															
The foregoing application has been examined and the premises, business conducted and character of the applicant are satisfactory, and we do hereby report that such license, if granted, will comply with the provisions of Title 12, Articles 46 and 47, C.R.S. THEREFORE THIS APPLICATION IS APPROVED.															
Local Licensing Authority For			Date												
Signature	Title	Attest													