

ORDINANCE NO. 4345

**AN ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, SECTION 4-58
OF THE GRAND JUNCTION CODE OF ORDINANCES
PERTAINING TO THE TASTING OF ALCOHOLIC BEVERAGES**

RECITALS:

The City Code of Ordinances pertaining to the tasting of alcoholic beverages currently limits beverage samples to disposable cups or containers that allow a one ounce serving. Amendment of the Code will allow for portion control cups or pour control caps to enhance efficiency in furnishing samples of alcohol products by licensed establishments.

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

Chapter 4, Section 4-58 of Article IV of the City of Grand Junction, Colorado, Code of Ordinances is hereby amended to read as follows. (Additions are shown in underline; deletions are shown by strikethrough.)

Sec. 4-58. Permit required.

(a) The City hereby authorizes Tastings to be conducted by retail liquor store or liquor-licensed drugstore licensees in accordance with this section and pursuant to Section 12-47-301, C.R.S, as the term "Tastings" is defined in said Section 12-47-301, C.R.S.

(b) It is unlawful for any person or licensee to conduct Tastings within the City unless a Tastings Permit has been obtained in accordance with the article. The local licensing authority for the City is authorized to issue Tasting Permits in accordance with the requirements of this article.

(c) A retail liquor store or a liquor-licensed drugstore licensee that wishes to conduct Tastings shall submit an application for a Tastings Permit to the local licensing authority. The application shall be accompanied by an application fee of \$100.

(d) The local licensing authority may deny the application if the applicant fails to establish that the licensee is able to conduct tastings without violating the provisions of this article or creating a public safety risk.

(e) The local licensing authority shall establish the application procedure. Application forms will be proscribed by the local licensing authority and will include a schedule of the planned tastings, a list of the names of the persons conducting the

tastings and documentation that the person conducting the tasting has completed the required training, a written control plan and other such information as the local licensing authority may require. Any change to the information submitted must be submitted to the local licensing authority one week prior to the change being made. Failure to do so constitutes a violation.

(f) Renewal of the Tastings Permit shall be concurrent with renewal of the retail liquor store or liquor-licensed drugstore license. The initial Tastings Permit shall expire on the date of the retail liquor store or liquor-licensed drugstore license and the initial fee will not be prorated.

(g) Tastings shall be subject to the limitations set forth in 12-47-301(10)(c), C.R.S., as amended from time to time. Compliance with the limitations and requirements set forth in Section 12-47-301(10)(c), C.R.S. shall be a term and condition of any Tasting Permit, whether expressly set forth in the Tasting Permit or not. Additionally, the following conditions shall apply to all tasting permits issued within the corporate limits of the City of Grand Junction:

1. No more than four individual samples of up to one ounce each of beer or wine may be provided to a customer. The samples must be provided free of charge.
2. Tastings may occur on no more than three of the six days (Monday through Saturday) that the licensee may be open for business and shall not exceed 104 days per year.
3. Tastings shall not exceed 5 consecutive hours per day.
4. Tastings shall be conducted during the licensee's operating hours and in any event no earlier than 1 p.m. or later than 7 p.m.
5. Samples shall be served only in single use, disposable cups. Portion size of each sample shall be controlled by use of either a container that contains a one ounce serving or portion control pour cap(s) that dispense one ounce servings.

(h) Tastings authorized pursuant to this section shall be allowed only for a retail liquor store or liquor licensed drug store operating within the City whose license is valid, in good standing and in full force and effect.

ALL OTHER PROVISIONS OF CHAPTER 4 SHALL REMAIN IN FULL FORCE AND EFFECT. THIS ORDINANCE SHALL AMEND ORDINANCE 3716 AND AS NECESSARY REPEAL ANY PART INCONSISTENT HEREWITH.

PASSED for first reading and ordered published by the City Council of the City of Grand Junction, Colorado the 30th day of March, 2009.

PASSED AND ADOPTED on second reading by the City Council of the City of Grand Junction, Colorado this 13th day of April, 2009.

/s/ Gregg Palmer
Gregg Palmer
President of the Council

Attest:

/s/ Stephanie Tuin
Stephanie Tuin
City Clerk