

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. 4452

AN ORDINANCE AMENDING ORDINANCE NO. 3112
WHICH PROVIDED STANDARDS FOR AN OPTIONAL PREMISES
LICENSE FOR THE DESIGNATED CONCESSIONAIRE
AT TIARA RADO GOLF COURSE

Recitals:

The City of Grand Junction owns Tiara Rado Golf course, an eighteen-hole golf course at 2057 S. Broadway.

The City desires that food and beverage (alcoholic and non-alcoholic) service be available both in the restaurant and on the golf course.

Having this service at Tiara Rado relates to the city's Comprehensive Plan Goals and Policies by continuing the City's reputation as a regional center of recreation and tourism for both the local community and outside visitors.

Section 12-47-310 C.R.S. permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.

Service of liquor, other than 3.2% beer on the Tiara Rado Golf Course would benefit the City as a continuous source of revenue.

This ordinance would permit the sale of liquor on Tiara Rado Golf Course, only, and not any other City-owned golf courses.

From time to time, the City enters into a contract with a concessionaire to provide food and beverage service to the restaurant and golf course at Tiara Rado and would like the ordinance to apply to any designee without the need to amend such ordinance.

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

Ordinance No. 3112, adopted on April 7, 1999 is hereby amended as follows:

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

- a. *Optional premises* means the same as that defined in the Colorado Liquor Code under § 12-47-103(22) and 12-47-310, C.R.S. The only type of license

authorized in this ordinance, is a "restaurant with optional premises," which may be referred to as "optional premises" unless otherwise stated.

- b. *Licensee*, for the purpose of this license, means the City or its designee by means of a concessionaire contract.

Section 2. Standards. The following standards are for the issuance of an optional premises license for the restaurant that holds a liquor license and has an outdoor sports and recreational facility, namely the Tiara Rado Golf Course, adjacent to its facility. The standards are adopted pursuant to the provisions of § 12-47-310 C.R.S. The standards adopted shall be considered in addition to all other standards applicable to the consideration of and/or issuance of licenses under the Colorado Liquor Code and any and all applicable local laws, rules and regulations.

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 shall be heard publicly by the local hearing officer.

- (1) A map or other drawing illustrating the optional premises boundaries and the location of the proposed optional premises license requested; and
- (2) Proposed location(s) for permanent, temporary or moveable structure(s) which are proposed to be used for the sale or service of alcohol beverages and a statement as to whether mobile carts will be used for the sale or service of alcohol beverages; and
- (3) 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; and
- (4) Proof of the applicant's right to possession of the optional premises including a legal description and supporting documentation to the satisfaction of the local licensing authority; and
- (5) A description of the 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.
- (6) A description of the provisions which will be implemented to control over service and prevent under age service of alcohol beverages.

Section 4. Eligibility. The licensee is a holder of a hotel-restaurant license which is located on or adjacent to an 18-hole golf course.

Section 5. Size of Premises. There is no minimum size, other than being a regulation 18-hole course, of the optional premises license or number of optional premises licenses for the licensee.

Section 6. Additional Conditions. Nothing contained in this ordinance shall preclude the Licensing Authority in its discretion, from imposing conditions, restrictions or limitations on any optional premises license in order to serve 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 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 Authority stating the specific days and hours during which the optional premises will be used. Notice must be recorded with the Liquor Licensing Authority 48 hours prior to serving alcohol beverages on the optional premises. No notice shall specify any period of use in excess of 180 days nor shall it specify any date more than 180 days after the date of the original notice. The licensee may file with the Liquor Licensing Authority more than one such notice during a calendar year; however, should any special or unusual event be anticipated to occur during any extended period of time, no less than 48 hours' written notice should be given to the Liquor Licensing Authority, which shall have authority to impose any conditions reasonably related toward serving the public health, safety and welfare or it may deny the use after hearing.

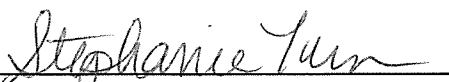
Introduced on first reading this 19th day of January, 2011 and order published in pamphlet form.

Passed and adopted on second reading this 31st day of January, 2011 and ordered published in pamphlet form.



President of the Council

ATTEST:



City Clerk