

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET**

**MINUTES  
WEDNESDAY, MARCH 19, 2014, 2:00 P.M.**

**HEARING OFFICER MICHAEL GRATTAN**

**I. CALL TO ORDER**

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

Hearing Officer Grattan commemorated the life of Dennis Tobin and his appearances before the Hearing Authority on behalf of the Moose Lodge. Mr. Tobin very recently passed away.

**II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. Tepanyaki Japanese Steak House, LLC dba Tepanyaki Steak House & Sushi Bar, 752 ½ Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant – **Continued from March 5, 2014**

No one was present representing the applicant.

Ms. Kemp reported that the Health Department advised that all violations have been corrected.

The application for renewal for Tepanyaki Japanese Steak House, LLC dba Tepanyaki Steak House & Sushi Bar was found to be in order and approved.

2. LOCO, Inc. dba LOCO Food Store No. 11, 1904 N. 12<sup>th</sup> Street, Grand Junction, CO 81501, 3.2% Beer Retail (Off Premises)

Donna Kenworthy, manager for LOCO Food Store No. 11, was present.

The application for renewal for LOCO, Inc. dba LOCO Food Store No. 11 was found to be in order and approved.

3. Rosco's, Inc. dba Edgewater Brewery, 905 Struthers Avenue, Grand Junction, CO 81501, Brew Pub

Jim Jeffryes, owner of Edgewater Brewery, was present.

Ms. Kemp reported that there were minor violations found by the Fire Department, however, they had no objection to the renewal.

Mr. Jeffryes advised that they have corrected the minor violations reported by the Fire Department.

The application for renewal for Rosco's, Inc. dba Edgewater Brewery was found to be in order and approved.

4. Grand Conjunction, LLC dba Doubletree – Grand Junction, 743 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

City Attorney Shaver asked if this renewal will include the premises that were approved with the recent modification.

Ms. Kemp advised that State approval is still pending for the modification of premises, but once the approval has been received, the renewal will include those premises as approved with the modification of premises.

The application for renewal for Grand Conjunction, LLC dba Doubletree – Grand Junction was approved and will include the premises as modified conditioned on the State approval for the modification of premises.

5. The Noodle Shop, Co. – Colorado, Inc. dba Noodles & Company, 2474 Highway 6&50, Unit A, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for The Noodle Shop, Co. – Colorado, Inc. dba Noodles & Company was found to be in order and approved.

6. City of Grand Junction, dba Lincoln Park Sports Complex, 1307 North Avenue, Grand Junction, CO 81501, Tavern

Larry Manchester, manager of Lincoln Park Sports Complex, was present.

Hearing Officer Grattan asked Mr. Manchester to describe the licensed premises of Lincoln Park Sports Complex. Mr. Manchester said that it includes the football stadium, the baseball stadium, and the tower (the commons between the two). Hearing Officer Grattan asked if it also includes the field area for the football and baseball stadiums. Mr. Manchester replied affirmatively. Hearing Officer Grattan stated that he feels that is very odd that the licensed premises would include the fields.

City Attorney Shaver said that it would allow alcohol service for an event on the field area.

Ms. Kemp advised that due to the seasonal operation of the establishment, the Health Department will conduct their inspection with the food vendor after May 1<sup>st</sup>.

The application for renewal for City of Grand Junction, dba Lincoln Park Sports Complex was approved conditioned on a satisfactory report by the Health Department.

**III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSE WITH TASTING PERMIT**

1. Rush Corporation dba Kokopelli Liquors, 2996 D Road, Grand Junction, CO 81504, Retail Liquor Store

Bradley J. Rush, owner, was present.

The applications for renewal for the liquor license and the tasting permit for Rush Corporation dba Kokopelli Liquors were found to be in order and approved.

**IV. APPLICATION TO RENEW LIQUOR LICENSE AND REGISTRATION OF A NEW MANAGER**

1. Shiman Chu, LLC dba No Coast Sushi, 1119 N. 1<sup>st</sup> Street, Unit A, Grand Junction, CO 81501, Hotel and Restaurant

Joshua L. Roberts, 434 N. 18<sup>th</sup> Street, Grand Junction, CO 81501 replaces Elizabeth Boyd

Elizabeth Boyd, owner of No Coast Sushi, was present.

Ms. Kemp advised that a report from CBI/FBI on the new manager is still pending.

City Attorney Shaver asked if the request is just for a registration of a manager and not a change to the LLC. Ms. Boyd said that is correct.

The application for renewal for Shiman Chu, LLC dba No Coast Sushi was found to be in order and approved.

The application for registration of a new manager for Shiman Chu, LLC dba No Coast Sushi was approved subject to a clear report from CBI/FBI.

**V. APPLICATION FOR CHANGE IN CORPORATE STRUCTURE**

1. Grand Junction Regional Airport Authority dba Grand Junction Regional Airport Authority, 2828 Walker Field Dr., Airport Terminal Building, Second Floor, Grand Junction, CO 81506, Hotel and Restaurant

Remove Rex Tippetts, Director, from Corporate Structure

No one was present representing the applicant.

Hearing Officer Grattan asked if Mr. Peck is now the acting Airport manager. City Attorney Shaver advised that he believes Mr. Peck is the facilities manager. Hearing Officer Grattan asked if he is an employee of the Airport Authority. City Attorney Shaver replied affirmatively.

The application for change in corporate structure for Grand Junction Regional Airport Authority dba Grand Junction Regional Airport Authority was found to be in order and approved.

## **VI. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS AND DECISION**

1. Sergio's, LLC dba Sergio's Family Restaurant, 511 30 Road, Grand Junction, CO 81504, Hotel and Restaurant

Owner: Gabriel Munoz Lara, 2912 Walnut Avenue, Grand Junction, CO 81504

Gabriel Munoz Lara, owner of Sergio's Family Restaurant, and Sergio Pazos Jimenez, manager of Sergio's Family Restaurant, were present.

Ms. Kemp read the results of the survey that was conducted into the record (see attached).

City Attorney Shaver asked Ms. Kemp if the location was previously license for liquor. Ms. Kemp advised that it was, most recently Taqueria Valparaiso, and one other establishment prior to that.

City Attorney Shaver asked Mr. Munoz and Mr. Pazos if they heard the report that Ms. Kemp read and do they believe it to be true and accurate. Mr. Lara and Mr. Pazos responded affirmatively. City Attorney Shaver asked who conducted the survey and how was it conducted. Mr. Munoz and Mr. Pazos said they both conducted the survey. Mr. Pazos said they started surveying on a Sunday, February 23<sup>rd</sup> and finished on Monday, March 3<sup>rd</sup>. They went door to door, showed a menu to the people, advised that they are doing something different, and stated that they were applying for a liquor license. City Attorney Shaver asked about the people who were opposed to the issuance of the liquor license. Mr. Pazos said they were older people and didn't like people to drink. City Attorney Shaver asked if 99 residential signatures and 15 business signatures were correct. Mr. Pazos said yes. City Attorney Shaver asked Mr. Munoz to describe how the survey was conducted. Mr. Munoz said he is trying to sell different food at the restaurant. He went door to door and showed people the survey and asked them if they want to sign it. City Attorney Shaver asked if there was anyone he encountered who was opposed to the liquor license. Mr. Munoz said there was one older person who didn't want the liquor license issued and refused to sign the survey. City Attorney Shaver asked about the people who were not at home or not at their businesses. Mr. Pazos said there were no answers at doors, no solicitor signs, and sometimes, even when people were home, they wouldn't answer their door. City Attorney Shaver asked if any second attempts were made to those that had no answer. Mr. Munoz said no.

Hearing Officer Grattan asked where the restaurant is. Meghan Woodland, Grand Junction Police Department, stated it is just past the extension of North Avenue on 30 Road.

No one was present in opposition to the application.

The application for a new Hotel and Restaurant liquor license for Sergio's, LLC dba Sergio's Family Restaurant was found to be in order and approved. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

2. Love's Travel Stops & Country Stores, Inc. dba Love's Travel Stop #517, 748 22 Road, Grand Junction, CO 81505, Retail 3.2% Beer (Off Premises)

Master File Established at the State level.

CEO: Thomas Love, 6824 N.W. Grand Blvd., Oklahoma City, OK 73116

COO: Gregory Love, 7520 Nichols Road, Oklahoma City, OK 73120

CFO: Douglas Stussi, 608 Deer View Crossing, Edmond, OK 73034

Secretary: Judith Love, 6824 N.W. Grand Blvd., Oklahoma City, OK 73116

Roger Michael Spencer, general manager for Love's Travel Stop #517, and Max Scott, owner of Oedipus, Inc., who conducted the survey, were present.

Ms. Kemp reported that the building is still under construction and a Certificate of Occupancy will have to be issued prior to opening. She read the results of the survey that was conducted into the record (see attached).

There was no one present in opposition to the application.

City Attorney Shaver asked Mr. Spencer to tell the Authority his relationship to the application and advise the Authority of any previous experience with the management or sale of fermented malt beverages. Mr. Spencer said that he is the general manager for Love's Travel Stop #517, has just moved to Grand Junction, has worked for Love's for two years, he also has 20 years of experience with quick serve and full serve restaurants with liquor licenses, and has never had any violations. City Attorney Shaver asked if his experience with alcohol beverages was in Colorado, and if not, is he familiar with Colorado Liquor Laws? Mr. Spencer said that his experience in alcohol beverages was in Oklahoma but he does understand the age requirement for both selling and consuming fermented malt beverage in Colorado. City Attorney Shaver asked Mr. Spencer if Love's has a corporate policy in terms of carding or lawful age verification. Mr. Spencer said absolutely, the cash registers require checking, scanning, and entering identification into the register for every transaction for the sale of anything that is age restricted. City Attorney Shaver asked Mr. Spencer if he was involved in the conduct or the direction given of the survey. Mr. Spencer said he was not.

Max Scott, Oedipus, Inc. advised that their company is a certified responsible vendor with the State for laws and rules of alcohol beverages and asked Mr.

Spencer to show the Hearing Authority the training material that Oedipus produces regarding the purchase, dispensing, consumption requirements, identification, and signs of intoxication. City Attorney Shaver asked Mr. Scott to provide the Authority a copy of the documentation for the record. Hearing Officer Grattan entered it into the record as Exhibit A (see attached).

City Attorney Shaver asked Mr. Scott to introduce himself and his company and to describe what his company does. Mr. Scott introduced himself as Max Scott, owner and operator of Oedipus, Inc. in unincorporated Boulder County. City Attorney Shaver asked Mr. Scott if he has personal knowledge of the application submitted by Love's Travel Stops and Country Stores, Inc. Mr. Scott said yes, his company was contacted by Traci Breedlove from Love's Travel Stops & Country Stores, Inc. corporate office to conduct the survey. City Attorney Shaver asked Mr. Scott who conducted the survey. Mr. Scott said that the petition forms were created by their office manager Tina Scott and the survey was conducted by one of their employees Michael Jacobs. City Attorney Shaver asked Mr. Scott if he reviewed the work to determine if it was in compliance with the legal requirements. Mr. Scott said yes and after the review he completed a report. City Attorney Shaver asked Mr. Scott if he has formed an opinion as to the needs and desires of the neighborhood. Mr. Scott said he has, and both survey categories, residential and business, showed a need and desire for the license. City Attorney Shaver asked Mr. Scott if he heard the results Ms. Kemp read into the record and does he believe them to be true and accurate. Mr. Scott said yes. City Attorney Shaver asked Mr. Scott about the opposition received on the survey. Mr. Scott said that most of the opposition was because people felt there were already enough licensed establishments in the area. Mr. Scott stated that they used two formats for the petition; one for businesses and one for residential and indicated which ones were business and residential on a diagram. They carried a diagram showing each as well as the City's map.

Hearing Officer Grattan asked what the status is of the building. Mr. Spencer said it is still under construction and due to open on May 29<sup>th</sup>.

The application for a new Retail 3.2% Beer (Off Premises) license for Love's Travel Stops & Country Stores, Inc. dba Love's Travel Stop #517 was found to be in order and approved. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

## **VII. OTHER BUSINESS**

1. Review Boomers, LLC dba Boomers, 436 Main Street, Grand Junction, CO 81501, Tavern – Review Status

Chester Allen, owner of Boomers, and Mark Coffman, prospective buyer of Boomers, were present.

Hearing Officer Grattan asked Mr. Coffman what his role will be in the transfer. Mr. Coffman said he will be co-owner and executive chef of the operation.

Hearing Officer Grattan asked what the new LLC's name is. Mr. Coffman said they do not know yet. Hearing Officer Grattan asked who will own the LLC. Mr. Coffman said it will be another individual and himself with each owning 50%.


City Attorney Shaver asked when the forming of the LLC will occur. Mr. Coffman said as soon as possible. They do have a lease proposal (letter of intent) from Mr. Allen. His partner is working on establishing the LLC. They would like to open sometime in April.

Hearing Officer Grattan asked that the status of the license be reviewed again in two weeks to the April 2, 2014 Liquor and Beer Meeting and the paperwork be due in the City Clerk's office by May 7, 2014.

#### **VIII. ADJOURNMENT**

The meeting was adjourned at 2:53 p.m.

**NEXT REGULAR MEETING – April 2, 2014**

MEMO: Local Licensing Authority   
FROM: Debbie Kemp, Deputy City Clerk  
DATE: March 3, 2014  
SUBJECT: Application for a new hotel and restaurant liquor license by Sergio's, LLC dba Sergio's, LLC, 511 30 Road, Grand Junction, CO

Sergio's, LLC filed an application with the Local Licensing Authority on February 13, 2014 for a new hotel and restaurant liquor license permitting sales of alcohol beverages by the drink for consumption on the premises at 511 30 Road under the trade name of Sergio's, LLC. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for March 19, 2014. The Notice of Hearing was given by posting a sign on the property on or before March 9, 2014 and by publishing a display ad in the Daily Sentinel on March 7, 2014.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by Walnut Avenue, Gunnison Avenue on the South, Grand Valley Drive on the East and 29 1/2 Road on the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

|                      |         |    |
|----------------------|---------|----|
| Business Results:    | FAVOR:  | 15 |
|                      | OPPOSE: | 0  |
| Residential Results: | FAVOR:  | 99 |
|                      | OPPOSE: | 3  |

There were 14 responses that were disqualified because they did not answer whether they supported or opposed the issuance of the license (2), the address listed was out of the survey boundary area (9), or they did not list an address (3).

There were four "exhibits to survey petition" that indicated there were contacts not 21 years of age (2), contacts who refused to sign (5), contacts with no answer and no second attempts were made (30), no solicitors signs (9), and businesses with no answer (2).



No letters of opposition or counterpetitions have been filed to date.


The Grand Junction Police Department has investigated the individuals for local criminal history. They will be inspecting the property to ensure the Notice of Hearing has been posted in a timely manner and verifying that the diagram matches the establishment. The fingerprints have been forwarded to CBI for further processing. Reports have been requested by the Grand Junction Fire Department, Mesa County Health Department, and City of Grand Junction Sales Tax Department.

There are no liquor licensed outlets in the survey area.

That concludes this report.

cc: Applicant  
John Shaver, City Attorney  
Meghan Woodland, Grand Junction Police Department  
File



MEMO: Local Licensing Authority  
 FROM: Debbie Kemp, Deputy City Clerk   
 DATE: March 10, 2014  
 SUBJECT: Application for a new retail 3.2% beer (off premises) license by Love's Travel Stops & Country Stores, Inc. dba Love's Travel Stop #517, 748 22 Road, Grand Junction, CO

Love's Travel Stops & Country Stores, Inc. filed an application with the Local Licensing Authority on January 13, 2014 for a new retail 3.2% beer (off premises) license permitting the sale of fermented malt beverage for consumption off the premises of the licensee at 748 22 Road under the trade name of Love's Travel Stop #517. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for March 19, 2014. The Notice of Hearing was given by posting a sign on the property on or before March 9, 2014 and by publishing a display ad in the Daily Sentinel on March 7, 2014.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant hired Oedipus, Inc. out of Louisville, CO to conduct a survey. The neighborhood was defined as the area bounded on the North by H 1/2 Road, Colorado River on the South, 23 Road on the East and 21 1/2 Road on the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

If you favor or support this application for a retail 3.2% FMB (fermented malt beverage) license because it is your opinion the reasonable requirements of the adult inhabitants of the defined neighborhood are not now being adequately served by existing businesses that hold the same or similar type of license now doing business in the defined neighborhood, and it is you desire this retail 3.2% FMB license be issued please sign and check the favor column to grant the requested license, and please write your reason why you favor this license application. If you oppose and do not support this application for a retail 3.2% FMB license, please sign and check the oppose column, and please write in your reason why you oppose this license application.

|                      |         |    |
|----------------------|---------|----|
| Business Results:    | FAVOR:  | 61 |
|                      | OPPOSE: | 5  |
| Residential Results: | FAVOR:  | 43 |
|                      | OPPOSE: | 7  |

There were 27 responses that were disqualified because they were out of the defined neighborhood boundary.

No letters of opposition or counterpetitions have been filed to date.

The Grand Junction Police Department has investigated the individuals for local criminal history. They will be inspecting the property to ensure the Notice of Hearing has been posted in a timely manner and verifying that the diagram matches the establishment. Reports have been requested by the Grand Junction Fire Department and City of Grand Junction Sales Tax Department.

The number of liquor licensed outlets in the survey area are as follows:

Hotel and Restaurant – 1 (West Gate Inn)  
3.2% Beer Retail (Off Premises) – 1 (Acorn Food Store)  
Tavern – 2 (Fantasy and Allen Unique Autos)

That concludes this report.

cc: Applicant  
John Shaver, City Attorney  
Oedipus, Inc.  
File

A

**RETAIL ALCOHOL BEVERAGE LICENSES & SPECIAL EVENT PERMITS©**

**Purchase, Dispensing, Consumption Requirements, Identification & Signs of Intoxication**

| A: Class of License or Special Event Permit  | B: Age of Employee to Handle or Sell   | C: Hours & Days of Service   | D: Food Requirements  | E: Where Alcohol Consumed   | F: Purchase of Alcohol   | G: Type of Alcohol Purchased & Sold   |
|--|--|--|---|---|--|---|
| <b>1: 3.2% FMB<sup>1</sup></b><br><b>3 Classes of Licenses:</b> on, off, and on & off  | 18 to sell. Any age w/18 supervisor to handle (not sell).  | 5am to midnight (12am) all days.   | None; may sell any retail products.   | <b>Off:</b> off premises<br><b>On:</b> on premises<br><b>On &amp; Off:</b> on & off premises  | Wholesaler only  | 3.2% FMB only   |
| <b>2: On-premises w/Food Required:</b> Alcohol consumed on the licensed premise with an exception. <b>Brew Pub H&amp;R<sup>2</sup> Tavern, Gaming Tavern, Beer &amp; Wine, Racetrack</b> | If meals regularly sold: 18 w/ a 21 year old supervisor.<br><br>If meals not regularly sold: w/Tavern & other licenses 21 years.<br><br>Empty alcohol containers by a person of any age. | 7am to 2am the next day all days. In the fall when daylight savings ends & the clock is turned back 1 hour at 2am to 1am, can serve 1 more hour to 2am. <b>Brew Pub</b> can sell brewed beer off-premises from 8am to 12am not on Christmas. | All licenses must have food available were alcohol is served during all hours of alcohol service.<br><br><b>H&amp;R</b> 25% food to alcohol & full menu to 8pm.<br><br><b>Brew Pub:</b> 15% food to alcohol.<br><br>Licenses owned by local government "need not have meals available for consumption." <sup>3</sup><br><br><b>Racetrack</b> must sell food all hours of operation. | On premise exception: if a license that has meals a 0.75 liter (only) bottle of wine (only), re-corked, may be taken off premise, 1 per adult (21 years old). | From a wholesaler & from a <b>RLS<sup>4</sup></b> or <b>LLDS<sup>5</sup></b> , or 3.2% FMB retailer up to \$2000 a year, purchase records must be retained for inspection. | All licenses except <b>Beer &amp; Wine:</b> Beer labeled 3.2% FMB, malt (beer not labeled 3.2% FMB), wine & distilled spirits<br><br><b>Beer &amp; Wine:</b> Beer labeled 3.2% FMB, malt (beer not labeled 3.2% FMB) & wine, no distilled spirits |
| <b>3: On-premises w/o Food:</b> <b>Club, Arts, Optional Premises, Public Transportation, Local Government Owned Licenses</b>   | 21<br><br>Empty alcohol containers by a person of any age.   | 7am to 2am the next day, all days; see daylight savings above.   | None; may dispense food.  | On-premises   | From a wholesaler & from a <b>RLS<sup>6</sup></b> or <b>LLDS<sup>7</sup></b> , or 3.2% FMB retailer up to \$2000 a year, purchase records must be retained for inspection. | Beer labeled 3.2% FMB, malt (beer not labeled 3.2% FMB), wine & distilled spirits   |
| <b>4: Off-premises</b><br><b>RLS &amp; LLDS</b>  | 21 to handle and sell, no one under the age of 21 may handle alcohol.  | No sales Xmas: <b>RLS:</b> 8am to 12am. <b>LLDS</b> can only sell 2x the number of hours a pharmacist is on duty between 8am to 12am   | None<br><b>RLS:</b> Limited to alcohol related items.<br><b>LLDS:</b> may sell any other retail products to include food.   | Off-premise except <sup>8</sup> sampling & tastings   | Wholesaler only  | Malt (beer not labeled 3.2% FMB), wine & distilled spirits  |
| <b>5: Special Event Permit</b><br><b>3.2% FMB</b>  | 18   | 5am to 12am all days   | Sandwich or food snacks all hours   | On premises only  | Wholesaler, aka, distributor   | 3.2% FMB only   |
| <b>6: Special Events Liquor:</b> malt (beer), wine & distilled spirits   | 18 to 20 for beer & wine w/21 year old supervisor; 21 for distilled spirits  | 7am to 2am all days  | Sandwich or food snacks all hours   | On premises only  | Wholesaler, Brew Pub, Limited Winery, RLS or LLDS  | Malt (beer not labeled 3.2% FMB), wine & distilled spirits  |

1 FMB: fermented malt beverage, aka, 3.2% beer  
 2 Hotel & Restaurant License  
 3 CRS12-47-301 (6)  
 4 Retail Liquor Store  
 5 Liquor Licensed Drug Store  
 6 Retail Liquor Store  
 7 Liquor Licensed Drug Store  
 8 Sampling: CRS 12-47-901(5)(a)(i) & Reg, 47-406C.2. Tastings: CRS 12-47-301 (10)(c)

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PO Box 1012 Lafayette CO 80026 303 661 0638 03/29/2013

**RETAIL ALCOHOL BEVERAGE LICENSES & SPECIAL EVENT PERMITS©**  
**Purchase, Dispensing, Consumption Requirements, Identification & Signs of Intoxication**

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**Signs of Intoxication & Intoxicated Persons Prohibited on Premise**

The licensee's test for intoxication is whether a person appears to be "visibly intoxicated"; CRS 12-47-901 (1)(a) & (5)(a) and Regulation 47-900C. Intoxicated persons are prohibited on the licensed premises as is loitering.

Signs of an intoxicated person are any one of the following:

- Change in conduct.
- Slurred and/or loud speech.
- Spittle between or on the lips.
- The odor of alcohol about their person.
- Repeatedly asking the same question.
- Lighting more than one cigarette.
- Blurry (glassy) and/or bloodshot eyes.
- Poor eye contact.
- Poor motor functions such as walking, standing or with the hands.
- Slovenly appearance.

**Valid Proof of Age**

- Colorado law **does not** require that licensed establishments selling 3.2% beer, or regular beer, wine, and spirits, check identification for proof of age.
- Colorado law **does not** prohibit underage persons from entering and remaining in licensed establishments.
- Colorado law **does not** require persons to carry proof of age.
- Colorado law **does** prohibit any licensed establishment from selling or serving any alcohol beverages to an underage person.
- Licensees should always check proof of age if there is the slightest doubt of the customer's actual age. If no acceptable proof of age is available, no service should be provided.

**Identification**

Unfamiliar identifications should be verified in an ID guide or electronically. The following forms of identification (see Regulation 47-912) may be relied upon by licensees to show proof of age. Note that each such ID has a photo, a description of the bearer and has **not expired**:

1. An operators, chauffer's or similar type of driver's license containing a picture, and date of birth, issued by any state, within the United States, or any U.S. Territory, or any foreign country including Canada or Mexico.
2. Identification card containing a picture, issued by any state for the purpose of proof of age in accordance with C.R.S. 42-2-402.
3. Military identification card.
4. Passport.
5. Alien registration card.
6. A valid employment authorization card containing a picture and date of birth issued by the U.S. Department of Justice, Immigration and Notarization service.

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**Affirmative Proof**

If a licensee reasonably relies on one of the above ID's for proof of age, that licensee's liquor license cannot be suspended or revoked for sale to a minor. If, however, a licensee relies on any other type of ID, his license can still be suspended or revoked if the customer with the ID turns out to be underage. Licensees need not take chances, and they should only accept one of the six types of proper ID's above. Persons without proper ID can always be refused service of alcohol.

**False Identification**

Licensees are permitted under CRS 12-47-901(5)(a)(II) to confiscate suspected false or fraudulent identification. Confiscated identification must be turned over to a state or local law enforcement agency within 72 hours.

**Events Log**

**Log Format:**

1. Day, month, year and time.
2. Narrative of the event (see Events to Log below).
3. Physical description of person involved to include:
  - a. Sex
  - b. Height & weight
  - c. Ethnicity
  - d. Clothing
  - e. Physical characteristics or distinguishing marks
  - f. Description of conduct
  - g. Motor vehicle description to include license plate.
4. Witness names, patrons and employees and their contact information.

**Events to Log:**

1. Any intoxicated persons and/or;
2. Any refusal of service.
3. False IDs, confiscated or otherwise.
4. Disturbances.
5. Any calls for police assistance.
6. Preserve any video recordings.