

LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE

M I N U T E S

WEDNESDAY, OCTOBER 1, 1997, 8:00 A.M.

I. **CALL TO ORDER** - The meeting was convened at 8:05 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Acting City Clerk Christine English.

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

1. Bold Petroleum Inc., dba Acorn Food Store, 3.2% Beer - **2 Locations**

1. 745 Horizon Drive
2. 2222 Highway 6 & 50

John Waits was present representing Bold Petroleum. Both applications were in order and approved.

2. Silver Star Bowling Inc., dba Freeway Bowl, 1900 Main Street, Tavern

The application was in order and approved.

3. Kenneth Funnelle dba Cheers, 201 Colorado Avenue, Tavern

The application was in order and approved.

III. **HEARING FOR RENEWAL AND DECISION ON CAUSE FOR LATE FILING**

1. Casa Di Italia Enterprises, Inc., dba Casa Di Italia, 2560 North Avenue, Hotel-Restaurant

George Harper, proprietor, was present. The application was submitted on September 16, 1997 with the expiration date being September 19, 1997. Hearing Officer Coebergh commented on the candid explanation of cause for the late filing, and questioned Mr. Harper on the delinquent sales tax. Mr. Harper stated the sales tax has been paid and is up to date at this time. Mr. Harper said he realized it was not a good business practice to let things such as this slide, but he knows he can get away with it and therefore he doesn't pay the sales tax in a timely manner. Assistant City Attorney Shaver could not confirm the payment of the sales tax. Mr. Shaver stated the Statutes do not define good cause. It is left to the discretion of the Authority. The liquor laws are very specific as to the timing of a renewal and the requirements of the licensee. Mr. Shaver recommended that good cause be found and the license be approved.

Mr. Coebergh asked where the good cause statute was in the code? Mr. Shaver stated it is found in 12-47-302(1). Mr. Coebergh asked Mr. Shaver about the waiver. Mr. Shaver has advised the City Clerk's office and the Authority that the waiver is a function of the finding of good cause. If good cause for a late filing is found, the time requirements are waived.

Mr. Coebergh questioned Mr. Harper if there had been any problems with the license prior to this late filing? Mr. Harper stated he had filed for a change in corporate structure 2 years ago when he took on a partner. This partner is no longer involved in the business. Mr. Harper stated he has been in business for 15 years, 9 1/2 years at a different location.

Hearing Officer Coebergh stated based on Mr. Harper's good record, he found in favor of good cause. He admonished Mr. Harper as to the importance of filing timely sales tax returns and liquor license renewals. The application was in order and approved.

IV. ADJOURNMENT - The meeting was adjourned at 8:20 a.m.

NEXT REGULAR MEETING - October 15, 1997