



*Happy New Year!*

January 2004 Volume 21

## Smoking Ordinance

Effective January 1, 2004, a new City ordinance prohibiting smoking in workplaces and public areas will go into effect.

Ordinance No. 3540 in full-text is available for view on the City of Grand Junctions website @ [www.gjcity.org](http://www.gjcity.org).

**Smoke-free Public Places.** Smoking will be prohibited in all enclosed public places including restaurants (which are defined as establishments earning more than 55% of their total annual income from food sales) retail stores, public sporting events, banks, public transportation, public waiting areas, etc. This year, licensees holding a hotel-restaurant, a beer-wine license or a 3.2% beer on premise license were sent certification forms for reclassification to a free-standing bar as defined in the ordinance. Reclassification does not affect the class of liquor license. These forms were due back to the City Clerk in December.

**Smoke-free Workplace.** Except in areas in which smoking is specifically allowed by the new ordinance, employees sharing an office or any other enclosed area must be provided a smoke-free workplace if they request it.

**Signage.** All businesses that serve the public in an enclosed area must now have one of two smoking-related signs. (1) "No Smoking"; or (2) "Smoking is Allowed Inside" must be clearly visible at all public entrances. See the website for sign sizes. If you do not have signs on your business, you are in violation of the existing ordinance as of January 1, 2004.

**Questions.** Call the City Clerks Office (970-244-1511) or visit our website for full details.



## Recap of 2003

Here's what transpired in liquor licensing in 2003. There were 9 new applications processed: 1-Tavern; 5-Hotel/Restaurant; 1-3.2% Beer Off Premise; 1-3.2% Beer On Premise; and 1-Retail Liquor Store. There were also 7 transfers of ownership, 11 changes in corporate structure, 8 modification of premises, 10 registrations of new managers, 5 trade name change and 124 renewals processed. 4 special events permits were issued also.

4 Liquor Awareness Training sessions were held. A new Server Responsibility Video was produced this year with the help of the Cabaret Dinner Theater Group and KRMJ Production Staff.

4 issues of the Grand Junction Grapevine were published and sent out to keep you, our licensees, current as to new laws and changes in the liquor code along with general information of interest to those involved in the liquor service arena.

### Did you know...

If you have any menu changes you must submit to the City Clerk's Office a copy of the new menu...

If you do a modification of premises, you must file the necessary paperwork with the City Clerk's Office...

If you have a hotel & restaurant liquor license and have a change in manager, you must notify the City Clerk's Office within 5 days and you have 30 days to replace that manager...

**Upcoming Training  
held in the City Hall  
Auditorium**

***Special Events Permit***

**January 23, 2004,**

**2 to 4 PM**



***Congratulations  
on your New License***

Congratulations to Jim Schoonover of Orchard Mesa Liquors....Jim was the winner !! In our October newsletter, we sent out a survey to our liquor licensed folks and received a wonderful response. As an incentive, we offered a prize to one lucky respondent.

Thanks to all of you who answered the survey and gave us some suggestions for improvement, as we are always looking for that!

**10/1/03 Wal-Mart Stores Inc. dba Wal-Mart Supercenter #5099, Retail 3.2% Beer (Off Premises)**  
**11/5/03 Tyluk, Inc. dba Cowboyz, Tavern (Recently changed to Whiskey River)**  
**11/17/03 TMPTFS, Inc., dba Rib City Grill, Hotel-Restaurant**

### Due to Renew

Renewals are due to this office 45 days prior

Ying Thai Restaurant	1/02
Olive Garden	1/02
Adams Mark Hotel	1/06
Wrigley Field	1/07
Old Chicago	1/11
Ranch Liquors	1/12
Andy's Liquor Mart	1/17
La Bamba	1/26
GoFer Foods 1st St.	1/27
CHEF's	1/27
Safeway #1533	1/28
West Gate Inn	1/31
Stop N Save	2/08
Fairground Liquor	2/10
Piñon Grill	2/11
Chili's	2/11
Albertsons #886	2/12
Los Reyes	2/13
Boston's Pizza	2/19
Bennett's BBQ	2/24
Loco Food #14	2/26
All Pro Liquor	3/06
Red Lobster	3/07
Lincoln Park Golf	3/10
Fiesta Guadalajara	3/16
Bourbon Street	3/26
Two Rivers Conv Ctr	3/30
Dia. Shamrock #4115	3/31

**State Liquor Enforcement**  
**(303) 205-2300**  
**City Sales Tax**  
**244-1521**

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### Upcoming Holidays and Events

January 15	Martin Luther King's Birthday (City Offices are Open)
January 23	Special Events Permit Training
February 12	Lincoln's Birthday
February 14	Valentines Day
February 16	Presidents Day (City Offices Closed)
February 22	Washington's Birthday
February 25	Ash Wednesday
March 17	St. Patrick's Day
March 20	Spring Begins
April 4	Daylight Savings Time Begins

### BEVERAGE ANALYST ARTICLE October 2003

Be on the Lookout for "VIPs"... visibly intoxicated persons....celebrating sports teams' victories (and losses) Holidays, New Years and any other occasion that involves the enthusiastic consumption of alcohol beverages.

The liquor laws prohibit licensees from serving or selling to any VIP. Also, licensees may not permit the serving or giving of alcohol beverages to any VIP. This means that licensees may be guilty of a violation for giving alcohol beverages to a person who appears visibly intoxicated, OR for selling alcohol beverages to people who subsequently give the beverages to a VIP on the licensed premises.

Licensees and their employees must be vigilant in preventing sales of alcohol beverages to VIP's within their establishments. Licensees should also remember that customers may have consumed significant quantities of alcohol beverages prior to entering a licensee's place of business. Consequently, employees must make crucial judgments about whether a person has had too much to drink and consequently should be prevented from making further purchases. General signs of VIP's include the following:

- √ Appearance, speech, and behavior
- √ Bloodshot eyes
- √ Slurring words
- √ Staggering gait
- √ Boisterous or sullen behavior

Unfortunately, there is no clear test for when a person has become visibly intoxicated. Further, there is nothing to prevent state or local investigators from conducting an investigation when an establishment is filled with excited fans. If a violation is detected, very likely the respective licensing authority will bring an enforcement action against the licensee rather than merely issuing a warning. Therefore, a licensee's employees should be aware of these consequences and should make every effort to observe patrons closely.

Clearly, one facet of the Liquor Code's prohibition on service to VIP's is to prevent drunk driving. However, licensees need to be aware that other consequences may arise from serving a VIP. For example, a person leaving a bar on a snowy night could slip and fall, potentially exposing the licensee to liability for injuries that person sustains. Being on the alert for VIP's helps avoid these problems.