



Grapevine



VOLUME 44

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Newsletter prepared by:
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HAPPY NEW YEAR

Happy New Year!! Here is a recap of 2011

Here's what happened in liquor licensing in 2011:

There were 10 new applications: 4-Hotel/Restaurant, one with Optional Premises, 4-Tavern, 1-Beer and Wine, and 1-3.2% Beer Retail (Off-Premises). There were also 10 ownership transfers, 1 change of location, 9 changes in corporate structure, 8 premise modifications, 11 new manager registrations, 2 trade name changes, 7 outdoor dining lease renewals, 1 art gallery permit, 20 special events permits, 14 stipulations, agreements, and orders, and 137 license renewals, 5 with tasting permits.

The City hosted seven Alcohol Server Responsibility Training sessions with a total number of 358 attendees.

A special thank you to PST Lisa Maestas for all her work she did on these trainings throughout 2011.



Liquor Enforcement Staff Changes

PST Lisa Maestas has left employment with the City, but you will still see her occasionally since she is now working for the State and has joined the State Liquor Enforcement Team.



Replacing Lisa in Investigations as the City's Liquor Enforcement Officer is Joe Patrick. Prior to this assignment, Joe worked as the Department's Police Recruiting Coordinator for 3 years. Joe has 20 years experience with the US Army and 12 years with two different police agencies as a police officer/police service officer, and police recruiter. He served as a military policeman in the US Army for 7 ½ years and served in various assignments within the US Army's Recruiting Command retiring in 1998 as the Senior Guidance Counselor. He then worked for the Mesa Police Department in Mesa, AZ as a police officer and in the Human Resources Division as the recruiting coordinator for 4 years.

Welcome Joe!



2011 State Legislation

Passed

- ◆ **SB 11-060**—Allows 3.2% beer in on-premises establishments such as hotel and restaurants and taverns
- ◆ **SB 11-066**—Changes to Special Events Permits. The City of Grand Junction has opted to approve these locally as authorized by this bill
- ◆ **HB 1301**—Private functions selling alcohol don't need a Special Events Permit; permits a supplier's financial assistance
- ◆ **SB 11-273**—Common Consumption Area: for "entertainment districts created and authorized at the local level

Failed

- ◆ **HB 11-1284**—Sale of Full Beer (eliminating distinction between 3.2% beer and malt liquor)
- ◆ **SB 11-194**—Concerning Sale of Alcohol (eliminating distinction between 3.2% beer and malt liquor)

Amendments to Regulations 2011

Regulation 47-100—Definitions

Closes loop holes in laws in the definitions of "Members" and "guest" relative to Club licenses

Regulation 47-200—Declaratory Orders

Establishes a time limit and review process for position statements

Regulation 47-300—Change in Class of License

Clarifies language on process for changing a license from one type to another

NEW Regulation (47-303) - License Renewals

- ◆ To address frequently asked questions about liquor license renewal
- ◆ Clarify that only a license holder may make application to renew a liquor license (landlords do not have the privilege of renewing a license they do not hold)
- ◆ Creating a provision addressing licensee's failure to meet tax obligations, consistent with Regulation 47-310(E)(4)

Regulation 47-307—Masterfiles

Liquor Enforcement Division has historically set up its master file records by licensed entity, requiring that a single licensed entity operate 5 licensed locations before qualifying for master file privileges. Changes to this regulation allowing a State master file for individuals who are associated with 5 or more Colorado-licensed entities.

Regulation 47-308—Municipally, County, or Special district Owned Facilities

To clarify the law for luxury boxes in “public or privately owned venues with 1500 or more seating capacity”

Regulation 47-312—Change of Location

Allows for up to a 12 month extension on approved location changes

Regulation 47-326—Measurement of Distance

Clarify exceptions to the 500 ft. distance restriction “renewal or re-issuance of a license is authorized”

Regulation 47-408—Purchase by Retailers

- ◆ Paragraph A: add Vintners Restaurant and clarifies the retailer’s purchase of alcohol from other than a distributor, both on-premises and off-premises to reflect \$1000 for Hotel and Restaurant and \$500 for all others
- ◆ Clarify that public auctions, including state tax auctions are not authorized sources for licensed retailers
- ◆ Add additional language to authorize licensees, who are in possession of alcohol beverage inventory at the time of a change of location or change in class of license, to retain said alcohol beverage inventory post-change if the new license otherwise authorizes the sale of such beverages

Regulation 47-410 and 47-412—Warehouse Storage Permits (wholesale and retail)

- ◆ Clarify that the permit must be renewed annually
- ◆ Renewal will be by separate application in order to better track and administer permits

Regulation 47-418. Restaurants.

1. Add reference to Vintner’s Restaurants
2. Restaurants can sell 3.2 beer so language changed to “alcohol beverages”
3. Clarify what is required of licensees as far as the 25% food service requirement. (establish time frame for calculation; list what qualifies as “food” for calculation, seasonality exceptions)

Regulation 47-913—Employees

Clarifies allowed ages of employees for both off-premises and on-premises licenses

Clarifies age of servers for Special Events Permits

Clarifies age of manufacturer and wholesale employees

Regulation 47-1000—Special Events-Possession of Beverages

Exceptions have been created by legislation, which should be noted in the regulation (limited wineries)

Regulation 47-1010—Special Events—Supplier Relationships

- ◆ Current regulation is cumbersome and confusing. Redraft to simplify
- ◆ Clarify donation scenarios that involve non-profits, retailers, and suppliers, to replace division position statements and provide better information to industry regarding lawful donations

Regulation 47-1018—Application for Special Events Permit

- ◆ Allowing permit applicants to elect separate storage facilities to store alcoholic beverages that cannot otherwise be stored on the permitted area (New 47-1015)
- ◆ Applicant must provide the address of the facility and evidence of lawful possession for the term of storage
- ◆ Designated storage facilities must otherwise be unlicensed at the time of application

To view the entire Colorado State Liquor Laws and Rules, please visit the State Liquor Enforcement website at <http://www.colorado.gov/revenue/liquor>.

2012 "FREE" Training Schedule

(Subject to Change)

The City of Grand Junction along with the Police Department offers a fun and informative method of educating anyone who dispenses alcohol and how they can protect themselves and the establishment.

The dates (subject to change) for 2012 are:

- Tuesday, February 7, 2012, 8 a.m. to noon
- Wednesday, April 11, 2012, 1 p.m. to 5 p.m.
- Thursday, June 14, 2012, 5 p.m. to 9 p.m.
- Tuesday, August 21, 2012, 8 a.m. to noon
- Wednesday, October 24, 2012, 1 p.m. to 5 p.m.
- Thursday, December 13, 2012, 5 p.m. to 9 p.m.

This training will be in the City Hall Auditorium, 250 N. 5th Street.

Flyers will be sent out electronically approximately a month in advance, but you can register anytime by calling 244-1510 or emailing debrak@gjcity.org.



Numbers

City Clerk's Office
(970) 244-1510

Division of Liquor Enforcement
(303) 205-2300

Local State Liquor Enforcement Investigators
Brian Turner, Shanna Frank, and
Lisa Maestas
(970) 248-7133

City of Grand Junction Liquor Enforcement
PST Joe Patrick
(970) 244-3612

City Sales Tax
(970) 244-1521



OCCUPATIONAL TAX

Notices were mailed on December 1, 2011 for the 2012 Occupational Tax that was due January 1, 2012. A big thanks for all of the establishments that have paid the tax due. Unpaid Occupational Tax will become delinquent on February 1, 2012. Establishments who have not paid the tax by February 1, 2012 will be subject to interest on the tax. Interest shall accrue on all delinquent taxes from the day of delinquency until paid or collected, at the rate of 1% per month. Late notices will be sent out to establishments on February 1, 2012 and will show a 1% interest assessment.

