



# Grand Junction

## Grapevine

Volume 7

June 2000

### From the Colorado Liquor Enforcement Division

Investigative staff from the State Division recently participated in a compliance check operation in Douglas County, CO. During this operation, it was unfortunate to note that 23 of the 52 establishments checked sold to the underage operatives used in the check. Sales were made due to: lack of checking or asking for proof of identification, poor math and English language skills of sales clerks and, in 1 case, a sales clerk intentionally overrode a cash register sales block for an underage ID and made the sale anyway. These cases revealed the absolute liability in which alcohol beverage retailers place themselves for the actions of their employees. In most of the violations, the retailer received a 15 day license suspension with 3 days served and 12 days held in abeyance for 1 year.

For both the safety of the public as well as protection of their alcohol beverage license, retailers need to ensure that **sales to minors do not occur**. Based on its experience in sale to minor cases, the State Division makes the following recommendations to help prevent sales to minors:

1. Train all sales clerks, servers and doormen. Ensure that the training is conducted by providers who will follow state-recommended training standards.

2. Develop a responsible alcohol sales policy for your business. Have all staff read, acknowledge and sign-off on that policy.

3. Ensure that staff follow the correct ID checking protocol: ask the customer his/her age; if customer indicates he/she is over 21, ask for identification and have them hand it to you; ensure the ID is valid and is of an acceptable type; compare the date of birth on the ID with the age the purchaser stated earlier. Consider purchasing an automated ID checking device if employee math skills are poor; compare the physical features on the ID with the purchaser looking for signs of alteration; when in doubt, ask for back-up identification and/or log information on the ID in a record book; with younger-looking customers, **always** check ID for each sale, even with repeat customers (if they are underage and are later caught by law enforcement, they will most likely say they have never

shown you an ID in the past that indicates they were of legal age); and, **when in doubt, don't make the sale**.

Remember, your license is your livelihood. Ensure that your sales staff understand and appreciate that fact!

### **ATTENTION LICENSEES: A New Product is Available to Help Protect Retailers in Response to the Flood of False ID's & Underage Drinkers**

VIAGE™ Verifier is a simple to use device. It has the ability to read all USA State driver licenses that use a magnetic stripe including Colorado. With a one-swipe operation, it calculates the cardholders age from the information on the license and shows the age in BIG & BOLD numbers on a large LCD screen. It shows the buyer's age, date of birth and will also show when an expired license is being used. If the license has been altered, the unit will read ERR or do nothing, in this case the retailer knows he needs to look at the ID closer for a possible fake. This unit simply confirms the information on the front of the license is the same as on the back, while calculating the birth date and age.

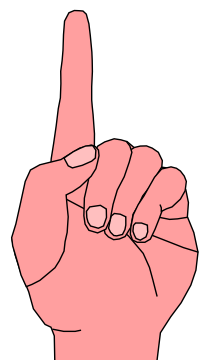
With it's use, the VIAGE™ Verifier will protect retailers or any one with an age sensitive product or service. At less than half the cost of any other product, it is affordable to all retailers big and small. Now any one can help curb under age drinking!

For more information on this product, contact CardCom Technolgy on their website: <http://www.cardcom.com>, or call toll-free: 1-877-MY VIAGE.

(The City of Grand Junction is in no way endorsing this product. This information is provided as a service to our licensees.)

### *Upcoming Special Days*

June 14	Flag Day
June 18	Father's Day
July 4	Independence Day



## Due to Renew

The following establishments are due to renew prior to September, 2000:

Tequila's	7/26
City Market No. 9	8/7
La Bamba Mexican Dining	8/12
Mesa Theater	8/16
C & F Food Store No. 1	8/24
C & F Food Store No. 3	8/24
C & F Food Store No. 4	8/24
Rite Aid #6367	8/26
Texas Roadhouse	8/26

### Hotel-Restaurant vs. Tavern

By Stephanie Rubinstein, Staff Attorney

As of late, there have been questions regarding the difference between tavern and hotel/restaurant licenses, particularly in relation to the amount of food that is required to be served. A licensee in possession of a hotel-restaurant license must serve "meals" during business hours. A "meal" is defined as "a quantity of food of such nature as is ordinarily consumed by an individual at regular intervals for the purpose of sustenance", (C.R.S. 12-47-103(20)).

The meaning of this definition may differ for some, but the regulations are clear that a meal is not solely "pretzels, crackers, nuts, and other appetizers, or canned soups, packaged sandwiches or similar items which are normally only components of a meal" (Regulation 47-418). Meals must be available when the restaurant is open between the hours of 8:00 a.m. and 8:00 p.m. The restaurant is not required to be open for all of those hours, but during any time between those hours, meals must be available. After 8:00 p.m., light snacks or sandwiches may be served instead of meals. Additionally, meal sales must constitute at least 25% of the establishment's gross income from sales of food and drink. Also, restaurants are establishments that must have a kitchen, dining room equipment, and persons to prepare, cook, and serve meals. They must also maintain on the premises actual food stuffs, equipment and supplies necessary for the preparation of meals. Obtaining prepared meals from outside sources, other than facilities under the management and control of the licensee, is prohibited. The intent of these requirements is that a bona fide restaurant is maintained not just the appearance of a restaurant.

The holder of a tavern license, on the other hand, need only serve sandwiches and light snacks during business hours. No other restrictions regarding food

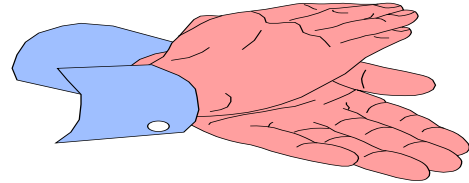
service are provided, and there is no restriction against providing more food than is required.

Be aware that not providing proper food service for the type of liquor license you possess is a violation of the liquor regulations, and if prosecuted may result in fines and/or suspension of your license. If there is concern that your establishment may not be able to fulfill all of the requirements, an alternative may be to change your class of license. However, applying for a change of license is considered an application for a new license, not a renewal. All procedures for a new license must be followed.

### New Licensee

The City of Grand Junction and the Local Licensing Authority welcome the addition of the following NEW licensee:

*Barky's, 2812 North Avenue, Hotel-Restaurant*



**Congratulations!**

### Liquor Awareness Training

On May 10, 2000, L.A.T. was conducted for licensees and their employees at the Police Department. This training session covered verifying ID's, issues of over service, trends in the community and the Police Department's role in liquor enforcement. It was attended by 31 people representing 9 establishments. Detective Bob Culver, Liquor Enforcement Officer for the City of Grand Junction, again did an excellent job. There was a lot of participation from the attendees and discussion on the different issues which they face in their jobs. This is a great opportunity to provide training to establishment employees. One of the suggestions from the attendees was to keep them up to date by sending out informational flyers. The Grand Junction Grapevine could be circulated amongst your employees requiring their signature to ensure they have had the opportunity to read it.

The City Clerk's Office and the Legal Department will be presenting their session of L.A.T. on June 20, 2000 also at the Police Department. This session is for **owners and managers only**, and will cover such topics as general license requirements, filing procedures, fees and forms, changes in the liquor code and terms and conditions of licensure. Even if you are a long time license holder, there are always changes taking place in procedures and State Statutes. The best way to protect your business is to stay current with what is happening! To register, call Chris English, City Clerk's Officer at 244-1509.

City Clerk's Office  
244-1509

City Sales Tax  
244-1521

State Liquor Enforcement  
(303) 205-2300