



Grapevine

CITY OF
Grand Junction
COLORADO

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Newsletter prepared by:
City of Grand Junction
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Here is what happened in liquor licensing in 2015

There were 11 new applications:

- 4—Hotel and Restaurants
- 1—Tavern
- 2—Beer and Wine
- 2—Arts
- 1—Retail 3.2% Beer Off Premises
- 1—Retail 3.2% Beer On/Off Premises



There were also 7 ownership transfers, 11 changes in corporate structure, 10 new managers registered, 11 outdoor dining leases, 38 special events permits, and 144 liquor and beer license renewals, 7 with tasting permits and 3 with warehouse storage permits.

The City hosted and PST Meghan Woodland and Police Officer David Keech taught six Alcohol Server Responsibility Training Sessions and two special sessions were held for a total number of 332 attendees. 328 certificates were issued and 4 attendees did not pass the test with a 70% or better score, therefore did not receive a certificate.



New Rule adopted in November 2015 concerning EBT Cards at liquor licensed establishments

DEPARTMENT OF REVENUE

EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE

ENFORCEMENT OF THE PROHIBITED USE OF ELECTRONIC BENEFITS TRANSFER CARDS AT CERTAIN LOCATIONS

1 CCR 210-4

BASIS AND PURPOSE

These rules and regulations are adopted by the Executive Director of the Department of Revenue pursuant to the provisions of the State Administrative Procedure Act, article 4 of title 24, C.R.S. The purpose of these rules and regulations is to govern the enforcement of the prohibited use of electronic benefits transfer service cards at automated teller machines located in licensed gaming establishments, in-state simulcast facilities, race tracks, establishments licensed to sell malt, vinous, or spirituous liquors, medical marijuana businesses, and retail marijuana establishments. The statutory basis for 1 CCR 210-4 is found in section 26-2-104, et seq., C.R.S., 12-47.1-103 (15), C.R.S., 12-60-102 (14), C.R.S., 12-60-102 (26), C.R.S., 12-47-202 (b), C.R.S., 12-43.3-104 (3), C.R.S., and 12-43.4-103 (4), C.R.S.

1 Construction.

Nothing contained in these regulations shall be so construed as to conflict with any provision of 26-2-101, et seq., C.R.S., or of any other applicable statute.

2 Definitions.

The following definitions of terms, in addition to those set forth in section 24-4-102, C.R.S., shall apply to all rules and regulations promulgated pursuant to section 26-2-104, C.R.S.:

- (1) "Electronic Benefits Transfer Service Card (EBT)" is a card on which benefit allotments are stored and used to purchase authorized items at a point-of-sale terminal.
- (2) "Automated Teller Machine (ATM)" is a device which dispenses cash and provides benefit inquiries. The equipment is activated by inserting a plastic magnetic stripe card and entering a personal identification number (PIN).
- (3) "Licensed Gaming Establishment" means any premises licensed pursuant to article 47.1 of Title 12 of the Colorado Revised Statutes for the conduct of gaming.
- (4) "In-State Simulcast Facility" means:
 - (a) A class A or class B horse track at which a licensee has held within the preceding twelve months or is licensed and scheduled to hold within the following twelve months a race meet of at least the duration required of a class A or class B track;
 - (b) An additional facility that is operated by and is the responsibility of the licensee of a class B horse track, located in Colorado, and used for the handling of wagers placed on simulcast races received by the track or facility.

- (c) A class A horse track granted permission to receive simulcast races at an alternate location within five miles of its track during the times when the track is not in operation.
- (5) "Racetrack" means any premises where race meets or simulcast races with pari-mutuel wagering are held in accordance with the provisions of Article 60 of Title 12 of the Colorado Revised Statutes.
- (6) For this rule, a Liquor "licensed premises" means the premises specified in an application for a retail establishment licensed to sell malt, vinous, or spirituous liquors pursuant to part 3 of article 47 of title 12, C.R.S.
- (7) Medical Marijuana businesses "licensed premises" mean the premises specified in an application for a license pursuant to Article 43.3 of Title 12 of the Colorado Revised Statutes that are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, sell, or test medical marijuana.
- (8) Retail Marijuana establishments "licensed premises" mean the premises specified in an application for a license pursuant to Article 43.4 of Title 12 of the Colorado Revised Statutes that are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, sell, or test retail marijuana.

3 Responsibility of Licensee.

Responsibility for the employment and maintenance of lawful methods of operation rests with the licensee, and willful or persistent use or toleration of methods of operation considered unlawful by the Department of Revenue is prohibited. Each licensee shall fully and timely perform each and every term, condition and duty required by the rules and regulations of the Department of Revenue.

4 Prevention Measures.

The operator of any establishment defined in Regulation 2 of this Rule, at which an ATM is located must take measures to prevent a client from using an EBT card to access moneys from such an ATM.

- (1) The operator of any establishment defined in Regulation 2 of this Rule, at which an ATM is located must post a sign on or near the ATM clearly notifying clients that this rule prohibits the use of an EBT card at the machine. The sign must contain the following statement:

"The use of an electronic benefits transfer service ("EBT") card to access public benefits at this machine is prohibited by Colorado Law, section 26-2-104, Colorado Revised Statutes."
- (2) The operator of any establishment defined in Regulation 2 of this Rule shall only place an ATM in a location that is within easy view of the point of sale personnel, or in a location that is under clear surveillance.
- (3) Each licensee must immediately notify in writing the Division within the Department of Revenue that has regulatory authority over the licensed premises, of the discovery of a violation or of a suspected violation of 26-2-104 (2) (h) (II), C.R.S., or this Rule.

- (4) An operator of any establishment defined in Regulation 2 of this Rule who violates any of the provisions of 26-2-104 (2) (h) (II), C.R.S., or of this Rule, shall be fined \$50.00 for the first violation and \$100.00 for each subsequent violation.

5 Exemptions.

The operator of any establishment defined in Regulation 2 of this Rule at which an ATM is located is exempt from the requirements of 26-2-104 (2) (h) (II), C.R.S., and this Rule if the establishment provides to the Department of Revenue a statement from the owner or operator of each ATM located within the establishment verifying that the machine does not accept EBT cards; except that, if one or more violations of 26-2-104 (2) (h) (II), C.R.S. occurs at any such establishment, the Department of Revenue shall take measures to prevent future violations, including issuing fines of \$50.00 for a first violation and \$100.00 for each subsequent violation.

6 Enforcement and penalties.

The Division of Gaming, the Liquor and Tobacco Enforcement Division, the Marijuana Enforcement Division, and the Racing Division are responsible for notifying the Department of Revenue of any discovered violation of 26-2-104 (2) (h) (II), C.R.S., or this Rule by the licensees under such Division's respective authority. The Division having regulatory authority over the licensee shall be responsible for the collection of fines on behalf of the Department of Revenue.

Pursuant to section 26-2-104(2)(a) (in part - emphasis added) Clients shall not be allowed to access cash benefits through the electronic benefits transfer service from automated teller machines in this state located in retail establishments licensed to sell malt, vinous, or spirituous liquors pursuant to part 3 of article 47 of title 12, C.R.S.

The license types affected are found in section 12-47-309(1), C.R.S.:

- (a) Retail liquor store license;**
- (b) Liquor-licensed drugstore license;**
- (c) Beer and wine license;**
- (d) Hotel and restaurant license;**
- (e) Tavern license;**
- (f) Brew pub license;**
- (g) Club license;**
- (h) Arts license;**
- (i) Racetrack license;**
- (j) Optional premises license;**
- (k) Retail gaming tavern license;**
- (l) Vintner's restaurant license;**
- (m) Distillery pub license**

New Bulletin Regarding Allowed Items Sold at a Retail Liquor Store



COLORADO
Department of Revenue

Enforcement Division - Liquor & Tobacco

Physical Address:
1881 Pierce Street
Lakewood, CO 80214

Mailing Address:
P.O. Box 173350
Denver, CO 80217-3350

BULLETIN 15-06

REFERENCE: ALLOWED ITEMS SOLD AT A RETAIL LIQUOR STORE

December 31, 2015

This bulletin is being provided to give guidance to retail liquor store licensees in order to understand what non-alcohol products can be sold in a retail liquor store in accordance to section 12-47-417, C.R.S. and Regulation 47-416, 1 C.C.R. 203-2. In an effort to clarify specific items that can be sold in a retail liquor store, the below list of items should be used in conjunction with the list found in Regulation 47-416.

ALCOHOL DISPENSERS	DRINK SHAKER	LITERS-CARAFES-DECANTERS
ATM MACHINES (are allowed in liquor stores)	FLASKS	MARASCHINO CHERRIES
BAR TOWELS	FRESH LEMONS & LIMES	MARGARITA RIM SALT (other rim products (which are prepackaged, labeled & directly related to the consumption of alcohol)
BARTENDER GUIDES	FRUIT SQUEEZERS	MILK (& other milk substitutes, e.g., soy, almond, cashew, coconut)
BEER BREWING KIT (Equipment)	GENERAL BAR EQUIPMENT	MULLING SPICE
BLENDERS	GIFT BASKETS (that contain alcohol beverage products & any of the permitted items listed on this page)	OLIVES
BOOKS & MAGAZINES (specifically about alcohol beverages or the industry)	GLASS HOLDERS	PARTY CLIPS (attach wine glass to plate)
BOTTLE OPENERS	GLASS WASHING EQUIPMENT	PORTABLE BARS (home use & similar beverage machines)
BOTTLE NECK GREETING CARDS	GLASSES-MUGS-PITCHERS	SHOT MEASURES
CAN OPENERS	HANGOVER REMEDY (strictly limited to a product manufactured & permanently labeled as a hangover reliever)	SODA SYPHONS
COASTERS	HERB BITTERS	STIR STICKS
COCKTAIL GARNISHES (which are pre-packaged, labeled, and directly related to the consumption of alcohols & sold solely for the purpose of garnishing beverages up to 16oz.)	ICE	TOBACCO & OTHER SIMILAR HOT SAUCES
COCKTAIL ONION	ICE BUCKETS & ICE CRUSHERS	TRAYS
COOLERS - ALL TYPES	KEGERATORS & KEG TAPS	WINE ACCESSORIES (to include but not limited to wine charms, stoppers, aerators, screens, chillers, vacu vin, wine racks)
CORK SCREWS	LIQUID MIXES (that are used as an alcohol beverage mixer including flavor mixers)	WINE MAKING KITS
DEVICES PURPORTING TO MEASURE BREATH OR BLOOD ALCOHOL	LIQUOR FILLED CANDY	
DRIP RINGS	LIQUOR TRAVEL CASES	

Regulation 47-416(C) also allows tobacco and other tobacco related supplies including pipes. The Division has determined only pipes specifically designed for the smoking of tobacco are allowed to be sold in retail liquor stores.

Questions concerning this bulletin can be sent to dor_led@state.co.us or call us at 303-205-2300.

Update on City Liquor Regulations

On July 15, 2015, an Administrative Regulation was issued regarding the posting of required notices under the Colorado Liquor Code (12-47-101 C.R.S. *et. seq.*). Part the statute provides that the public notice shall be posted not less than 10 days prior to the hearing on the application. The Hearing Authority, for good cause as described herein, has determined that the period for the posting shall be 14 days with the posting of the public notice being required on or before noon of the fourteenth day prior to the hearing date established by the City Clerk on behalf of the Authority. When considering approval of a new liquor license, 3.2% beer license, transfer of ownership, change of location, modification of premises, or special event permit, the Hearing Officer makes certain findings. By law, one of those findings must include that the premises were posted with a notice of hearing not less than 10 days prior. For a number of reasons, which include, but are not limited to the importance of being able to confirm the posting and so that interested persons are given a greater opportunity to inquire about or participate in the licensing process, the Hearing Authority has determined that a local 14 day posting requirement is better than the 10 day minimum provided in C.R.S. 12-47-311.

NOTICE
PURSUANT TO THE LIQUOR LAWS
OF COLORADO

HAS REQUESTED THE LICENSING
OFFICIALS OF THE CITY OF GRAND JUNCTION
TO
LICENSE AT: _____

**HEARING ON APPLICATION TO BE
HELD AT:**
MUNICIPAL HEARING ROOM
250 N. 8TH STREET, GRAND JUNCTION, CO

TIME AND DATE:
DATE OF APPLICATION: _____
BY ORDER OF: LOCAL LICENSING AUTHORITY.
OFFICERS: _____

Office of the City Clerk, 250 N. 8TH Street, Grand Junction, CO 81501

OCCUPATIONAL TAX


Annual notices were mailed on December 1, 2015 for the 2016 Occupational Tax that is due January 1st of each year. A big thanks to all of the establishments that have already paid the tax due. If you did not receive your notice, please call the City Clerk's Office at (970) 244-1510. Unpaid Occupational Tax will become delinquent on February 1, 2016. Establishments who have not paid the tax by February 1, 2016 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, 2016 and will show a 1% interest assessment.

This certifies that the license fee or other fee has been paid and the licensee hereby authorized and granted permission to begin the business described in full compliance with all ordinances of the City of Grand Junction, Colorado.

2016 DATE PAID
OCCUPATIONAL TAX RECEIPT NO.

8034000
CLASS - A
Corporation
dba Tradename
Address
Grand Junction, CO Zip Code

LICENSE VALID TO 12-31-16 UNLESS REVOKED OR CANCELLED - NOT TRANSFERABLE



City of Grand Junction,
COLORADO
CITY LICENSE

This License must be posted in a
conspicuous place at the business
at all times during the year.

Tom Moran INTERIM CITY MANAGER
Stephanie Torres CITY CLERK

Liquor License Renewals

The State Liquor Enforcement Division mails out liquor license renewals approximately 90 days before the license expires. The renewal form and State and City Fees must be submitted to the Local Licensing Authority (City Clerk's Office) at least 45 days prior to the expiration date of the liquor license. If you have not received your renewal application from the State, you can access the State Liquor Enforcement Division's website at <https://www.colorado.gov/pacific/enforcement/liquor-tobacco-forms>, download Form DR 8400 – Renewal Application for Liquor & 3.2% Beer License, complete it, and submit it to the City Clerk's Office with the appropriate fees.



Has your mailing address changed?

There is a new form (DR 8009) to change your mailing address and/or name notification. It is available on the State Liquor Enforcement Division's website.

DR 8009 (03/09/15)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
1981 Pierce Street Room 108
Lakewood, CO 80214

Change Of Mailing Address/Name Notification

- For physical change of location, submit DR 8442
- For Corporate/Trade Name changes, submit DR 8442

Name of Licensee		
Trade Name (doing business as)		
License Number	License Type	
Phone Number	Email Address	
Address Change <input type="checkbox"/>		
New Mailing Address		
City		
State	Zip	County
Name Change (Personal) <input type="checkbox"/>		
Previous Name		New Name
Reason for Name Change (check one)		
<input type="checkbox"/> Marriage	Date	Submit a copy of the legal documentation reflecting the name change. Acceptable forms of documentation include: marriage license, divorce decree, court order, immigration records, or passport.
<input type="checkbox"/> Divorce	Date	
<input type="checkbox"/> Court Order	Date	
I hereby attest that the above information provided is true.		
Last Name (please print)		First Name (please print)
Signature		Date

2016 "FREE" Alcohol Server Responsibility Training Schedule

ALL DATES AND TIMES ARE 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 2016 are:

Thursday, February 11, 2016 - 1 p.m. to 3 p.m.

Wednesday, April 13, 2016 - 5 p.m. to 7 p.m.

Tuesday, June 14, 2016 - 1 p.m. to 3 p.m.

Wednesday, August 10, 2016 - 5 p.m. to 7 p.m.

Thursday, October 13, 2016 - 1 p.m. to 3 p.m.

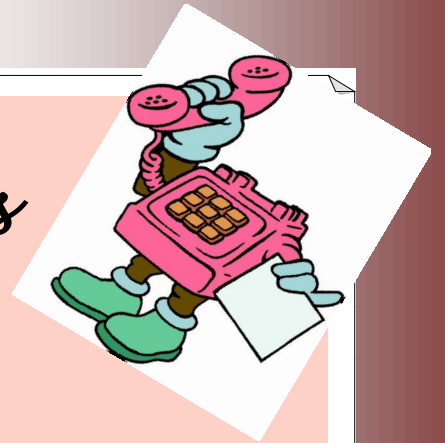
Tuesday, December 6, 2016 - 1 p.m. to 3 p.m.

**These trainings are held in the City Hall Auditorium
250 N. 5th Street**

Flyers will be sent out electronically and posted to the City's website at <http://gjcity.org/Liquor.aspx> approximately one month in advance, but you can register anytime by calling 244-1510 or emailing debrak@gjcity.org.



Phone Numbers



*City Clerk's Office
(970) 244-1510*

*Denver State Liquor Enforcement Office
(303) 205-2300*

*Local State Liquor Enforcement Investigators Brian
Turner, Lisa Maestas, and Tony Marsh
(970) 248-7133*

*City of Grand Junction Liquor Enforcement
And
City of Grand Junction Alcohol Server Responsibility
Training Educator
PST Meghan Woodland
(970) 549-5056 or meghanw@gjcity.org*

*City Sales Tax
(970) 244-1521*



*To view Colorado Liquor Enforcement Laws, Rules, and
Regulations online, go to
[https://www.colorado.gov/pacific/enforcement/liquor-
enforcement-laws-rules-regulations](https://www.colorado.gov/pacific/enforcement/liquor-enforcement-laws-rules-regulations). New rules and/or
changes to existing rules are expected to be effective in
February 2016. Watch the Colorado Liquor
Enforcement's website for those to be posted.*