



# Grapevine

CITY OF  
**Grand Junction**  
COLORADO

VOLUME 54

JAN. 2017



Newsletter prepared by:  
City of Grand Junction  
Office of the City Clerk  
250 North 5th Street  
Grand Junction, CO 81501  
Email: [juanitap@gjcity.org](mailto:juanitap@gjcity.org).



2016 was a fast year for all of us here at the City Clerk's office. A record breaking number of Special Event Permits were issued in 2016— 32 of these! We also processed 7 new

licenses; 5 transfers of ownership; 3 new manager registrations; and 10 changes in corporate structure. A total of 396 attended our Alcohol Server Training for 2016!!

Our last Grapevine in July talked about the 2016 Legislative Session and Rule Changes and Laws that were passed. Here are some highlights:

HB16-1439—Lodging & Entertainment License—Beginning August 10, 2016, the State Licensing Authority will no longer issue a tavern liquor license to businesses that do not fit the definition of a tavern as defined in section 12-47-103 (38), C.R.S. A Lodging and Entertainment (L&E) liquor license pursuant to section 12-47-426, C.R.S. can be issued to: Lodging Facility—the primary business of which is to provide the public with sleeping rooms and meeting facilities; or An Entertainment Facility—the primary business of which is to provide the public with sports or entertainment activities. See the options on the next page for conversion from a tavern to the new license. Currently the State Colorado Liquor Enforcement Division is working on the criteria of what is considered "Entertainment". They have developed an L&E Working Group to address these issues as they come up. They will continue to meet in 2017. As I would like to say...."Stay Tuned"....

Conversions—Upon renewal of a valid license, a tavern licensee that does not have as its principal business as the sale of alcohol beverages may apply to the applicable Local Licensing Authority to convert an existing tavern liquor license to 1) to an L&E liquor license; or 2) if the tavern licensee does not have its principal business the sale of alcohol beverages and does not fit the definition of an L&E license, may convert to another retail license under Title 12, Article 47, C.R.S., if any, or which the person qualifies; or 3) a valid tavern license issued prior to August 10, 2016, that does not have its principal business as the sale of alcohol beverages does not have to convert to a different liquor license and may continue to operate under the guidelines of all laws and rules pertaining to a tavern liquor license. However, upon transfer of such tavern liquor license after August 10, 2016, which does not meet the definition of a tavern, the ability to transfer the tavern liquor license will no longer exist and the applicant must apply for a new liquor license for which the person qualifies.

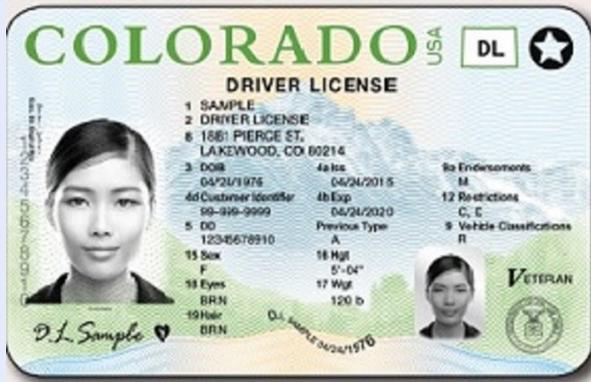
All alcohol beverage stock in a tavern liquor license converted to an L&E license may be used in the operation of a L&E license. If a tavern license converts to a different license pursuant to section 12-47-412 (9)(a), C.R.S., only the alcohol stock sold by the new licensee may convert. All other alcohol stock shall be lawfully removed from the licensed premises before the new license is approved.

Again there are several changes coming forward along with updated forms and we will continue to notify you as soon as possible.



# Retail Liquor Stores

**Laws Effective July 1, 2016—** Must verify consumers who purchase alcohol beverages are at least 21 years of age with **valid identification** as defined by rule. The exception is if a person who is, or reasonably appears to be, over 50 years of age. Regulation 47-912 (A) states: Licensees may refuse to sell alcohol beverage to any person unable to produce adequate, currently valid identification of age.



Recently, the Colorado Division of Motor Vehicles changed the look on new driver's licenses issued in Colorado to incorporate new security features and there have been several media campaign aimed at providing information to the public about the new licenses.

When a person applies for a new or renewal of a driver's license, their old driver's license is voided and the applicant is provided with a temporary license to use while the permanent license is produced and mailed to the applicant. Previously, this temporary license was a sheet of paper with the person's information, which acted as a valid driver's license as long as it was presented with their recently voided license.

Under the new change, instead of receiving a sheet of paper with the person's information, the applicant receives a "grayscale" version of the actual license to be issued. The new grayscale temporary license by itself is not valid unless presented with the voided license, just as before.

Retail Liquor Stores—With the change of being able to sell other items up to 20% of gross proceeds, if these are food items you must have a *Retail Food License* through Mesa County Health Department. The Health Department asked that you call them directly at 970-248-6900 for any questions you might have.

## Questions asked quite often.....Regulation 47-1020. Alcohol Beverage Donations.

The boom of the alcohol industry in Colorado is quite evident. In the last four years, the number of manufacturer breweries has increased from 60 to 230. During the same time, the number of distilleries has gone from 33 to 86.

With the increase in these types of licenses comes the demand for more beer fests, wine and spirits tastings and charity events. In 2004, the Division issued a Final Position concerning the use of donated alcohol during such events. In 2015, the Division issued Bulletin 15-02 updating and clarifying the content of the 2004 Position. While much of the content of both Bulletin 15-02 and the 2004 Final Position remains applicable, the Division has recently changed and updated its position with respect to the sale of alcohol beverages by the drink for fundraising purposes and is issuing this Bulletin to replace and supersede Bulletin 15-02 and the 2004 Final Position to provide current information on how licensees can provide alcohol for non-profit events.

### Rules for Donations

1. Donated alcohol can only be used in three circumstances, 1) by an entity that obtains a special event permit pursuant to article 48 of title 12, C.R.S.; 2) by an entity that meets the requirements of a special event permit and has an event at a facility licensed for on-premises consumption; or 3) pursuant to Section 12-48-108, C.R.S.
2. The following license types can donate alcohol for non-profit events found in paragraph #1: wholesalers of malt liquor and fermented malt beverages, wholesalers of vinous and spirituous liquors, limited wineries, brewpubs, distillery pubs and vintner's restaurant (Regulation 47-1020 (A), 1.C.C.R. 203-2).
3. Donated alcohol may be resold by the drink. Regulation 47-1020 (B), 1. C.C.R. 203-2 has been updated and will be effective January 1, 2017. The regulation now states (emphasis added):

*A wholesaler may donate alcohol beverages to a special event permittee at no cost if such beverages are used for hospitality or fund raising purposes, including resale by the drink. The wholesaler shall provide an invoice documenting the donation of such products to the permittee and shall ensure that all applicable state excise taxes are paid pursuant to section 12-47-503, C.R.S.*

4. On-premises liquor licensees cannot financially benefit from donated alcohol. Prohibited acts include corkage fees or any other fee associated to a volume of alcohol, nor may they inflate the price of food or rent.
5. For-profit entities cannot financially benefit from a special event permittee's alcohol.

Special Event Permittee requests alcohol beverage donations from a Colorado  
Wholesaler or retail store/liquor-licensed drugstore

- ◆ The wholesaler or retail liquor store licensee should contact the non-profit/charitable organization to verify a special events permit was issued, which names the non-profit organization and the location of the event. The wholesaler's failure to exercise due diligence in this area could result in administrative action.
- ◆ Once the wholesaler or retail liquor licensee verifies the special event permit was issued, they can make a product donation and produce a "zero-cost invoice" to the special event permit holder. The invoice should describe the name and amount of product donated, the name of the non-profit organization and the location of the event.
- ◆ If the special event permittee wants to sell the donated alcohol "by the drink" they may do so.
- ◆ Wholesalers and retailers may assist in pouring samples and providing labor to the non-profit organization during the event.

**Additional scenarios and be found in full on the State's website in Bulletin 16-08.**



### Don't Let Your License Expire!!

This year, numerous liquor licensees have failed to change their address on the correct form with the State. In the past you could just cross out the incorrect address and write the new one in on the top of your renewal. We do our best to try and catch these when we see them. The link below will take you to the Colorado Department of Revenue, Liquor Enforcement Division page and you will be able to locate the

form (DR 8009) by the form number.

ALSO... Typically the Division will mail a licensee their license renewal application around 90 days prior to the license expiration date. It is the licensee's responsibility to keep track of the renewal filing deadline. *The renewal application is mailed to the license holder's last known address.* There is a place on the renewal to also put the mailing address but you will still need to complete DR 8009. The City Clerk's office will mail out a reminder 90-100 days prior to let you know to be looking for this. If you get your renewal but have not received the letter from us, it should be right around the corner. You should have plenty of time, it is due to the City Clerk's office 45 days (CRS-12-47-302) before your license expires. Keep in mind that you as the licensee holder are responsible for tracking your expiration date. You can go online and download the renewal form DR 8400 and fill it out as a fillable form, and then submit it to the City Clerk's office. You must be approved by the Local Authority first and then we send it into the State.

<https://www.colorado.gov/pacific/enforcement/liquor-forms>

DR 8009 (03/05/15)  
**COLORADO DEPARTMENT OF REVENUE**  
 Liquor Enforcement Division  
 1881 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	
<b>Address Change</b> <input type="checkbox"/>		
New Mailing Address		City
State	Zip	County
<b>Name Change (Personal)</b> <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	

# 2017 "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 2017 are:**

Wednesday, February 8, 2017 - 1 p.m. to 3 p.m.

Wednesday, April 26, 2017 - 5 p.m. to 7 p.m.

Thursday, June 15, 2017 - 1 p.m. to 3 p.m.

Wednesday, August 23, 2017 - 5 p.m. to 7 p.m.

Wednesday, October 25, 2017 - 5 p.m. to 7 p.m.

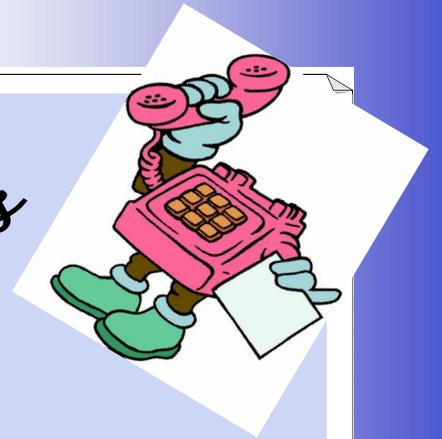
Wednesday, December 13, 2017 - 1 p.m. to 3 p.m.

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

Please provide us with the correct Establishment's name and email address that you want to be notified of these classes. This year we have had several returned as email addresses have not gone through. Flyers will be sent out electronically and posted to the City's website at <http://www.gjcity.org/city-government/city-clerk/liquor-licensing> approximately one month in advance, but you can register anytime by calling 244-1510 or emailing [juanitap@gjcity.org](mailto:juanitap@gjcity.org). or [janethgjcity.org](mailto:janethgjcity.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)  
Watch the Colorado Liquor Enforcement's website for  
those to be posted.*