

ORDINANCE NO. 1913

PROVIDING FOR THE USE OF A HEARING OFFICER TO HEAR MATTERS OF ALLEGED VIOLATIONS OF THE LIQUOR AND BEER CODES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That the Code of Ordinances of the City of Grand Junction be amended by the addition of an Article III to Chapter 4 of the Code, which Article shall read as follows:

ARTICLE III. HEARING OFFICER.

4-30. Hearing Officer.

In accordance with the permission of 12-46-103(4), C.R.S., 1973, as amended and 12-47-103(9), C.R.S., 1973, as amended, there is established the position of Hearing Officer within the City of Grand Junction who shall be appointed by and serve at the whim of the City Council.

4-31. Duties of the Hearing Officer.

The Hearing Officer shall conduct all hearings brought under the Liquor Code or the Beer Code when violations of the codes have been alleged to have occurred. In addition, the Hearing Officer may conduct such other hearings under the codes as the City Council may direct.

4-32. Powers of the Hearing Officer in the Conducting of Hearings.

The Hearing Officer shall have those powers given the local licensing authority under the Liquor and Beer Codes in conducting hearings.

4-33. Responsibilities of the Hearing Officer.

The Hearing Officer, after having heard the evidence, shall make findings of fact based on such evidence and shall determine the guilt or innocence of the person, firm or corporation charged with the violation of the code. Having considered the past conduct of the licensee, he shall recommend the penalty, if any, to be assessed if a violation is determined to have taken place. The findings of fact, determination of guilt or innocence and recommended penalty, if any, shall be delivered to the City Council for consideration and final action, approving, altering or reversing recommendation of the Hearing Officer.

4-34. Conduct of Hearings.

The Hearing Officer may establish such procedures to be followed in actions before him as may be consistent with the terms and conditions of the Beer and Liquor Codes.

