

**CITY OF GRAND JUNCTION, COLORADO  
LOCAL LICENSING AUTHORITY  
(LIQUOR-BEER)**

**RULES OF PROCEDURE  
(TRANSFER OF OWNERSHIP)**

The City Council of the City of Grand Junction, Colorado, has appointed a Liquor and Beer Hearing Officer to act as the Local Licensing Authority for all liquor and beer applications. The Hearing Officer meets the first and third Wednesday of each month at 9:00 a.m. in the Municipal Hearing Room, 250 North 5<sup>th</sup> Street.

The City Clerk assists the Hearing Officer by receiving all applications, requesting investigations by the various agencies, and scheduling public hearings.

In the preparation of the application for a liquor or beer license, the applicant shall:

Make application for City Sales Tax License,  
City Hall, 250 North 5th Street.

Make application for State Sales Tax License,  
State Office Building, 6th and Ute.

Make application for Federal Special (Occupational) Tax.

1. The applicant shall fill out the application in all material details. The application and all required documentation shall be filed **in duplicate**, except where multi-part forms are provided. Incomplete application forms will be rejected.
2. Submit with the application the following fees:
  - (a) An application fee of \$750.00 payable by either **certified check or bank money order** to the City of Grand Junction. The application fee shall be collected to cover the costs of the preliminary investigation made by the City, administrative checks, and other incidental expenses.
  - (b) A license fee shall be paid to the City by **certified check or bank money-order**. This fee is in addition to the application fee.

The application and license fees payable to the **City of Grand Junction** as follows:

	<u>License Fee</u>	<u>Application Fee</u>	<u>Total</u>
Retail Liquor Store	\$22.50	\$750.00	\$772.50
Liquor Licensed Drugstore	\$22.50	\$750.00	\$772.50
Beer and Wine License	\$48.75	\$750.00	\$798.75
Hotel-Restaurant License	\$75.00	\$750.00	\$825.00
Hotel-Restaurant License w/Optional Premises	\$75.00	\$750.00	\$825.00
Each Add'l. Opt. Premise	\$75.00		

Tavern License	\$75.00	\$750.00	\$825.00
Club License	\$41.25	\$750.00	\$791.25
Arts License	\$41.25	\$750.00	\$791.25
Race Track License	\$75.00	\$750.00	\$825.00
3.2% Beer (On-Off Premise)	\$ 3.75	\$750.00	\$753.75
Brew pub	\$75.00	\$750.00	\$825.00

(Note: The above amounts are the amounts to be included on checks payable to the City. The City license fee is actually 85% greater, but that amount is to be included in the check to the State for ultimate payment to the State Old Age Pension Fund.)

- (c) A license fee and application fee payable to the **Colorado Department of Revenue** shall also be filed in the form of a **certified check or bank money order**. The total amount payable to the State is as follows:

	<u>License Fee</u>	<u>Application Fee</u>	<u>Total</u>
Retail Liquor Store	\$227.50	\$1025.00	\$1252.50
Liquor Licensed Drug Store	\$227.50	\$1025.00	\$1252.50
Beer and Wine	\$351.25	\$1025.00	\$1376.25
Club License	\$308.75	\$1025.00	\$1333.75
Hotel-Restaurant	\$500.00	\$1025.00	\$1525.00
Hotel-Restaurant w/Optional Premises	\$500.00	\$1025.00	\$1525.00
Each Add'l. Optional Premise	\$100.00		
Tavern	\$500.00	\$1025.00	\$1525.00
Race Track	\$500.00	\$1025.00	\$1525.00
Arts	\$308.75	\$1025.00	\$1333.75
3.2% Beer (On-Off Premise)	\$ 96.25	\$1025.00	\$1121.25
Brew Pub	\$750.00	\$1025.00	\$1775.00
Concurrent Review	-0-	\$100.00	\$ 100.00

3. The licensee should have in his possession at all times a copy of the State of Colorado Department of Revenue Liquor and Beer Codes with Regulations. To obtain a copy of the Code contact: [www.revenue.state.co.us/liquor](http://www.revenue.state.co.us/liquor) under online Services - Publications and Info Pamphlets - Liquor and Beer Licensee Handbook.
4. Required documents to accompany all Liquor and 3.2% Beer License Applications. All documents must be properly executed, signed, and must correspond with name of applicant exactly. Copies may be accepted (other than application) if signatures and notarization are evident. All documents must be typed or legibly printed in ink. All documents to be submitted **in duplicate**.
5. Check list of documents:
  - A. License Application DR8404 - with the following attachments:
    - (1) Positive proof of possession of property:
      - \_\_\_\_\_ Deed, Lease or Assignment of Lease. (Lease **must** cover the entire license period-minimum of fourteen (14) months.)
      - \_\_\_\_\_ Properly executed and signed by all parties involved.
      - \_\_\_\_\_ Consent and acceptance by owner on assignments.
    - (2) Floor diagram of premises to be licensed.

\_\_\_\_\_ Must be on an 8 1/2 x 11" paper. Area to be licensed must be outline in red. Give outside dimensions, occupancy level, orientate N/S/E/W and show entry, exits and walls. Show where alcoholic beverages are stored in relation to service bar and other amenities. May be hand drawn. Include restrooms, bar, storage, office, if there is one, and kitchen, if kitchen is required. Indicate on the diagram seating capacity identifying number of seats for dining and number of seats for bar area/lounge as applicable. Show any other area that applicant would like to have licensed for the sale, service or consumption on the premises, such as swimming pool area, patio, etc. **Applicant should be aware when a diagram is accepted and approved, the premises cannot be changed until written permission is given by both the state and local licensing authorities.**

(3) Financial Documents: **Attach copies of all notes and/or loans**

\_\_\_\_\_ Purchase Agreement or Stock Transfer Agreement

\_\_\_\_\_ Copies of Promissory Notes for Loans (assumed, banks, previous owners. Applicants may not have any unlawful interest in any other licensed establishment).

\_\_\_\_\_ **Notarized** Affidavit stating source of all funds invested in the business.

(4) Managers Registration:

\_\_\_\_\_ Hotel-Restaurants (if other than licensee listed as manager)

\_\_\_\_\_ Complete Individual History Record DR 8404-I

\_\_\_\_\_ Fingerprint Card - Submit **cashier's check or money order for \$38.50** made payable to the Colorado Bureau of Investigation.

\_\_\_\_\_ \$75.00 check payable to the City of Grand Junction

\_\_\_\_\_ \$75.00 check payable to the Colorado Department of Revenue

(5) Ownership Documents:

(a) If a corporation:

\_\_\_\_\_ Certificate of Incorporation, or Certificate of Good Corporate Standing (State of Colorado), or Certificate of Authorization (if foreign corporation), if corporation is 2 years old.

\_\_\_\_\_ Articles of Incorporation date-stamped by the Secretary of State (Colorado).

\_\_\_\_\_ Minutes of Corporate Meeting (showing election of current officers), if this is a new corporation.

\_\_\_\_\_ Copies of Stock Certificates (100%)

\_\_\_\_\_ List of officers, stockholders and directors of parent corporation (if applicable). If there are stockholders holding over 10%, submit an organizational chart.

(b) If a Limited Liability Company:

\_\_\_\_\_ Articles of Organization date stamped by the Secretary of State (Colorado).

\_\_\_\_\_ Operating Agreement.

\_\_\_\_\_ Minutes of Meeting showing acceptance of current members.

(c) If a Partnership:

\_\_\_\_\_ Partnership Agreement, General or Limited. (Not needed if husband and wife.)

\_\_\_\_\_ Dissolution of Partnership (if applicable).

(d) If a Sole Proprietorship, see (e) below.

(e) Individual History, use form DR8404-I.

\_\_\_\_\_ Each individual listed **must** have a completed Individual History form along with a fingerprint card submitted with a **certified check or money order** for **\$38.50 each** made payable to the Colorado Bureau of Investigation (C.B.I.). Go to Mesa County Sheriff's Office, 215 Rice Street, 244-3500, for fingerprinting (\$5.00 fee). Their hours are Monday through Friday, 8:00 a.m. to 4:00 p.m.

B. **A statement that all accounts for alcohol beverages sold to the applicant are paid in full.**

C. Supplemental documents required by Local Licensing Authority:

\_\_\_\_\_ A **notarized** Affidavit from the applicant stating the hours of operation for both food service and serving of alcoholic beverages or 3.2% Beer as applicable.

\_\_\_\_\_ A current menu (for Tavern, Beer and Wine, and Hotel-Restaurant).

The Local Licensing Authority must be notified in writing within thirty (30) days of any proposed change of hours of operation and/or change(s) to the menu, other than prices.

6. Concurrent Review - The local licensing authority, or a license applicant with local authority approval, can request the state licensing authority to conduct a concurrent review. Applications submitted for concurrent review must be accompanied by all applicable fees both state and local. Any applications which are later denied or withdrawn, the license fees will be refunded **only**.

7. Upon receipt of a completed application, the City Clerk shall set a hearing date before the Local Licensing Authority **not sooner than fourteen (14) days after the receipt of the application**.

Upon **receipt and acceptance** of the completed application, a temporary permit may be applied for pending the Transfer of Ownership. An application form with instructions can be obtained from the City Clerk's office. A **certified check for \$100.00 made to the City of Grand Junction** must accompany the application. **Issuance of a temporary permit can take up to five (5) working days.**

8. Notice of Hearing: When the City Clerk has set the date for the hearing, notice shall be given of the time and place in the following manner:

The applicant shall conspicuously post a sign provided by the City Clerk not less than ten (10) days prior to the date of the hearing on the application. The information required for the posting of the notice shall be supplied by the applicant at the time of filing the application. The size of the sign and information contained on it shall be in compliance with State Law, Section 12-47-311, C.R.S. 1999, as amended.

9. Prior to the application being submitted to the Hearing Officer for his consideration, the City Clerk shall request reports from the Mesa County Health Department, the City of Grand Junction Fire Department stating whether or not the premises meet Health and Sanitary standards and complies with Life Safety standards (for those licensees where the sale of alcoholic or malt beverages are consumed on the premises by the drink) and a report from the Police Department (all types of Licenses) as to the character and qualifications of the applicant(s) to hold such license. The City Clerk will also request verification of the layout of the premises as shown on the diagram submitted from the Code Enforcement Division.

10. Public Hearing. On the date scheduled, a public hearing shall be held on the application. The applicant(s) or his counsel shall be present to introduce evidence with regard to the following:
  - A. Qualifications of the applicant(s) regarding his character and his qualifications relevant to the granting of the license.
  - B. Present Architect's drawings of the proposed outlet, if desired.
  - C. Respond to any questions the Hearing Officer may have.
11. Decision. At the conclusion of the public hearing, the Local Licensing Authority may take the application under advisement until the next regularly scheduled meeting at which time a decision will be given. In formulating a decision, the Local Licensing Authority shall consider all the facts and evidence presented at the hearing.
12. Appeal. An applicant or any interested party dissatisfied with the Local Licensing Authority's decision may file a written notice of appeal to the District Court within thirty (30) days.
13. Cost of Transcript on Appeal. Any person seeking review of the Local Licensing Authority's decision shall pay for the cost of preparing a transcript of the proceedings before the Local Licensing Authority whenever such transcript is demanded by the person seeking the review or furnished by the City of Grand Junction pursuant to an order of court.
14. If the application is approved, the decision of the Local Licensing Authority shall be sent to the State Licensing Authority along with a copy of the application, the State's fees, and such other supplementary materials as required by the State Licensing Authority. Allow three (3) weeks for processing by the State Authority after Local approval and submission of all required documents provided the building is ready for occupancy. The State license will be mailed to the Local Licensing Authority when issued. The City Clerk will then prepare the City License and forward both licenses to the licensee.
15. License Renewal. The liquor or beer license is from date-of-issue to date-of-issue and is renewed annually. The State Licensing Authority mails the renewal application to the licensee approximately ninety (90) days prior to the expiration date of the license. Upon receipt of the renewal application, the licensee should fill out and sign the renewal application and **file it at least 45 days prior to the expiration date along with the appropriate fees in the Office of the City Clerk** for consideration by the Local Licensing Authority.

The fees are as follows:

<u>License</u>	<u>City of Grand Junction</u>		<u>Total</u>	<u>CO. Dept. of Revenue</u>
	<u>License Fee</u>	<u>Renewal Fee</u>		<u>State Fee</u>
Retail Liquor Store	\$22.50	\$100.00	\$122.50	\$500.00
Liquor Licensed Drug Store	\$22.50	\$100.00	\$122.50	\$500.00
Beer and Wine License	\$48.75	\$100.00	\$148.75	\$351.25
Hotel-Restaurant License	\$75.00	\$100.00	\$175.00	\$500.00
Tavern License	\$75.00	\$100.00	\$175.00	\$500.00
Club License	\$41.25	\$100.00	\$141.25	\$308.75
Arts License	\$41.25	\$100.00	\$141.25	\$308.75
Race Track License	\$75.00	\$100.00	\$175.00	\$500.00
3.2% Beer (On-Off Premise)	\$ 3.75	\$100.00	\$103.75	\$ 96.25

Brew Pub	\$75.00	\$100.00	\$175.00	\$750.00
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Prior to the application for renewal being considered by the Local Licensing Authority, the City Clerk requests the Health Department and the Fire Department file reports that the licensed premises meet Health standards and Life Safety standards (for those licensees where the sales of liquor or beer are permitted by the drink on the premises), and reports from the Police Department (all licensees) as to the operation during the past licensing period and the City Sales Tax Division to verify compliance with the City Sales Tax Ordinance.

Upon approval by the Local Licensing Authority, the application with the State’s fee is mailed to the State Licensing Authority. Allow three (3) to four (4) weeks for the State to process. The State license is mailed to the City Clerk’s office for subsequent issuance of the City license.

16. Occupational Tax. In addition to the application fees and license fees required herein, there is levied an occupation tax as prescribed by Chapter 34, Article II, Grand Junction Code of Ordinances, as follows:

A. Classifications:

1. HOTEL-RESTAURANT/BREW PUB. Class “A” Operators. All operators who are licensed to sell malt, vinous and spirituous liquors for consumption on the premises as hotels or restaurant or Brew Pub. \$300.00
2. BEER AND WINE LICENSE. Class “A” Operators. All operators who are licensed to sell beer and wine for consumption on the premises either as hotels or restaurants. \$300.00
3. TAVERNS. Class “B” Operators. All operators licensed to sell malt, vinous or spirituous liquors only by the drink for consumption on the premises. \$500.00
4. RETAIL LIQUOR STORES. Class “C” Operators. All operators licensed as a retail liquor store to sell malt, vinous or spirituous liquors in original containers for consumption off the premises. \$300.00
5. DRUG STORES. Class “D” Operators. All operators licensed as drug stores to sell malt, vinous or spirituous liquors in original containers for consumption off the premises. \$300.00
6. CLUBS. Class “E” Operators. All operators licensed to sell malt, vinous or spirituous liquors as clubs. \$150.00
7. RACE TRACKS. Class “F” Operators. All operators who are licensed to sell beer, wine and spirituous liquors for consumption on the premises as Race Tracks. \$300.00
8. 3.2% BEER ON PREMISE. Class “G” Operators. All operators license to sell fermented malt beverages for consumption on the premises where such consumption is in a restaurant to customers of the restaurant and only if meals are actually and regularly served and provide not less than twenty-five percent (25%) of the gross income of the licensed premises. \$100.00

9. 3.2% BEER ON/OFF PREMISES. Class "H" Operators. All operators licensed to sell fermented malt beverages for consumption on the premises, or for both consumption on the premises and in the original package or container for consumption off the premises where the consumption on the premises is not to customers in a restaurant where meals are actually and regularly served and, provided not less than twenty-five percent (25%) of the gross income of the licensed premises. \$300.00
  10. 3.2% OFF PREMISE. Class "I" Operators. All operators licensed to sell only 3.2% beer or fermented malt beverages and who sell the same solely in the original package or container for consumption off the premises. \$100.00
  11. ARTS. Class "J" Operators. All operators licensed to sell malt, vinous and spirituous liquor under an Arts license. \$150.00
- B. If any operator begins business subsequent to January first of any year, the tax required shall be prorated on a monthly basis for the remaining position of the year, but no refund shall be made to any licensee who discontinues said business during the year. All prorated taxes shall be due and payable upon the beginning of business and shall be delinquent ten (10) days thereafter.
  - C. Renewal notices for the occupational tax licenses are mailed during the month of December. The tax imposed shall be due and payable on January first of each year and shall be delinquent on February first of the same year. Prepayment of said tax may be made during the month of December preceding the due date.
  - D. The operator shall, at all times during said year, keep the licenses posted in a conspicuous place in his place of business.
  - E. Interest shall accrue on all delinquent taxes from the day of delinquency until paid, or collected, at the rate of one (1) percent per month.
  - F. No delinquency in payment of the tax herein provided for shall be grounds for suspension or revocation of any license granted to any such operator by any licensing authority pursuant to the statutes enacted by the General Assembly of Colorado, and in performance of any duties imposed upon the City Council shall exclude from consideration any delinquency in payment of the tax herein provided for.
  - G. The City shall have the right to recover all sums due by the terms of this Article, by judgment and execution thereon in a civil action, in any court of competent jurisdiction; such remedy shall be cumulative with all other remedies provided herein for the enforcement of this Article.