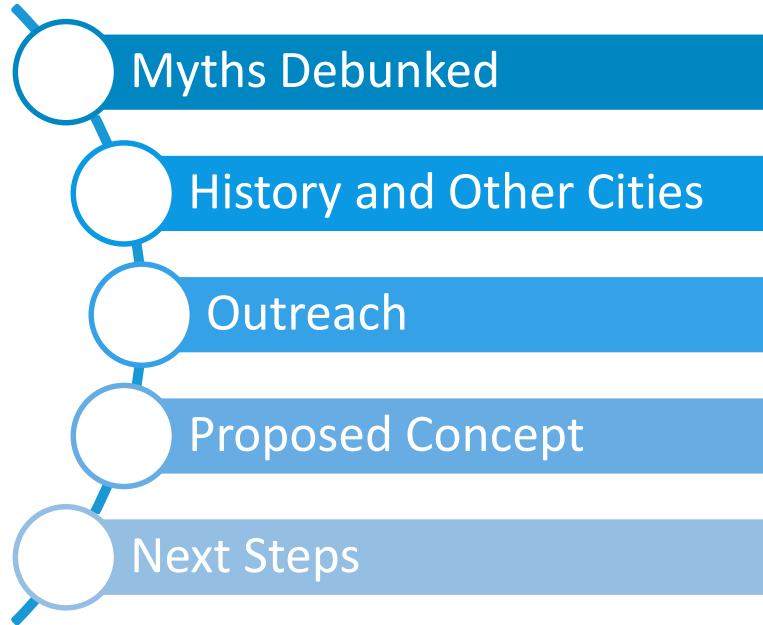


Denver Excise and Licenses Liquor Common Consumption

BIZ Committee
October 23, 2019

Presentation Overview



Liquor Common Consumption: Myths Debunked

Denver will NOT become Bourbon Street

- Colorado Liquor Laws prioritize the licensed premises and accountability of license holder
- Community stakeholders helped us craft a model that is true to Denver values

Patrons will NOT be allowed to take alcohol anywhere they want

- Strict parameters in state statute and the proposed ordinance limit consumption areas
- Denver's open container law would still be effective

Common Consumption will NOT be licensed without neighborhood support

- The proposed ordinance has strong protections for neighbors and neighborhood organizations
- Continued community input is built into proposed ordinance through rulemaking

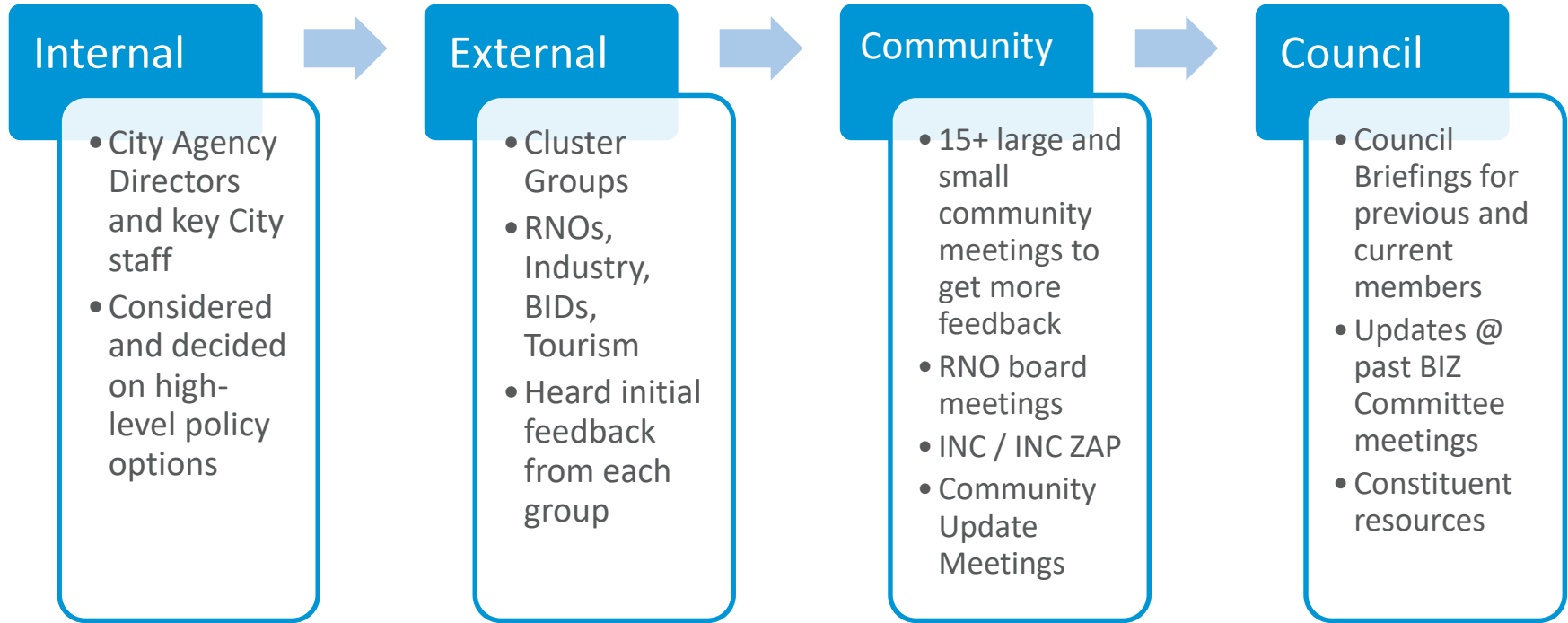
Liquor Common Consumption: History



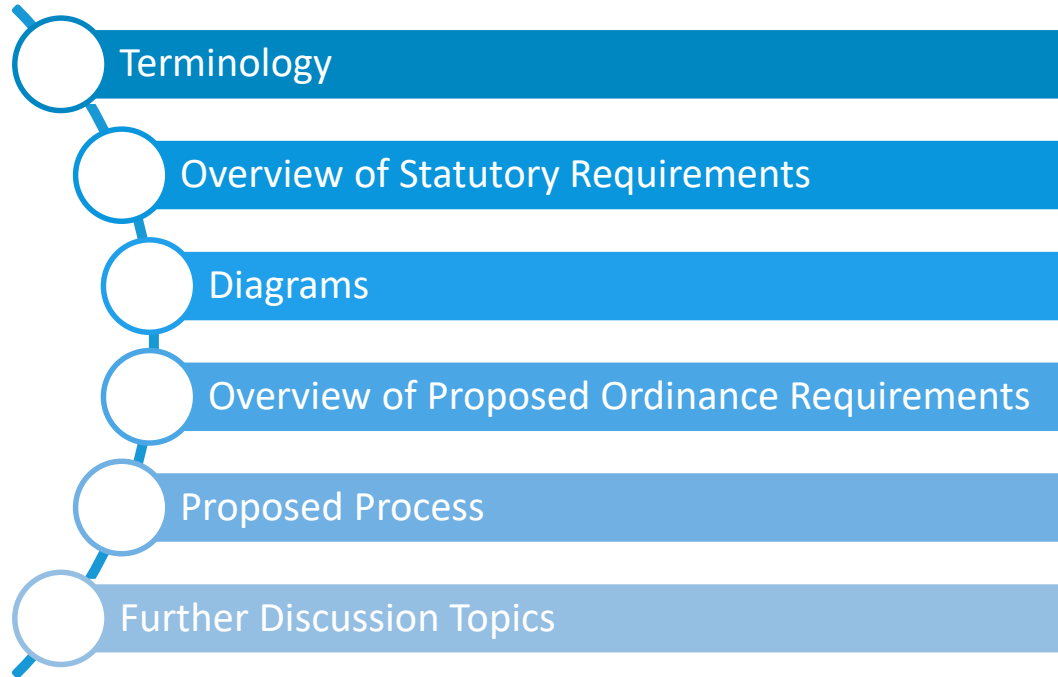
Liquor Common Consumption: Other Cities

Aurora	Black Hawk	Carbondale	Central City
Cripple Creek	Edgewater	Fort Collins	Glendale
Greeley	Leadville	Salida	Telluride

Liquor Common Consumption: Outreach



Liquor Common Consumption: Proposed Concept



Terminology

Common Consumption Area (CCA)

- A designated area where patrons over the age of 21 can consume alcohol purchased from existing liquor-licensed establishments.
- Each CCA must be located within an ED.

Entertainment District (ED)

- An area of the city that is no larger than 100 acres and contains at least 20,000 sq. ft. of total liquor-licensed premises.
- Each ED must be approved by City Council.

Promotional Association (PA)

- A group of at least two liquor-licensed businesses that join together for purposes of applying for a CCA license.
- PAs must be certified by EXL before obtaining a CCA license.

Diagram: Entertainment Districts and CCAs

The first PA/CCA applicant in an area will have to apply for a PA, CCA, and propose an ED.

Once City Council establishes an ED, other businesses are free to form PAs and apply for CCA licenses within that ED.

CCAs can look very different:

- Some may consist of kiosks or separate rooms in a larger, enclosed space;
- Some may be located in an alleyway shut off to traffic;
- Some may connect to several freestanding businesses

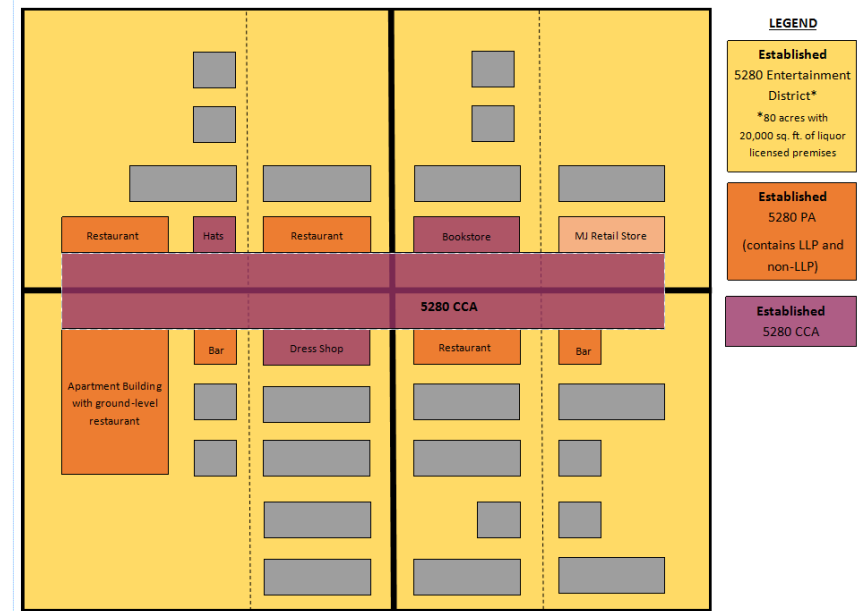


Diagram: Temporary CCAs can be used for events

A CCA license differs from a special event license because it allows existing liquor-licensed establishments to sell alcohol at the event, rather than bringing in outside or temporary liquor licensees.

In this event example, patrons of the restaurants and bars may take their beverage into the CCA and consume there as they travel up and down the street. Patrons may also take their beverages into the Hat Store, the Dress Shop, and the Bookstore.

Dispensaries that neighbor CCAs cannot allow consumption of alcohol on their premises, and no consumption of marijuana may take place within a CCA.



Overview of Statutory Requirements

PA Requirements

- Must be certified by local licensing authority
- Must have board of directors
- Must have board member from each participating establishment
- Must file annual reports with local licensing authority
- Must carry liability insurance for the CCA

CCA Requirements

- Area must be closed to motor traffic
- Must have safety and security plan
- Beverages must be in special cups with vendor's name

ED Requirements

- No larger than 100 acres in size
- No less than 20,000 square feet of liquor-licensed premises

Municipal Requirements

- Locality must adopt enabling ordinance
- Locality must hold Needs and Desires hearing

Overview of Proposed Ordinance Requirements

Pilot Program Features

- 5-year pilot
- No limit on number of EDs or CCAs
- Indoor and outdoor CCAs permitted
- Full-time and part-time CCAs permitted (part-time limited to 15 days per year)
- CCA License and PA Certification each valid for up to one year
- Not effective until 90 days after adoption of any rules (rule-making will solicit further public input)

Application Requirements

- PA, CCA, and ED information, map, and site plan
- Evidence of Community Support from RNO
- Parking and Transportation Plan
- Health and Sanitation Plan
- Safety and Security Plan
- Proof of PA liability insurance
- Any required permits

Operational Limitations

- CCA must be single, contiguous area
- No alcohol storage or sales in CCA or by non-licensed businesses
- Hours of operation must end **NO LATER** than 2:00 a.m. (may be earlier per GNA)
- CCA may not overlap with another CCA or liquor license
- CCA must have adequate signage and barriers
- Inspections required prior to operation

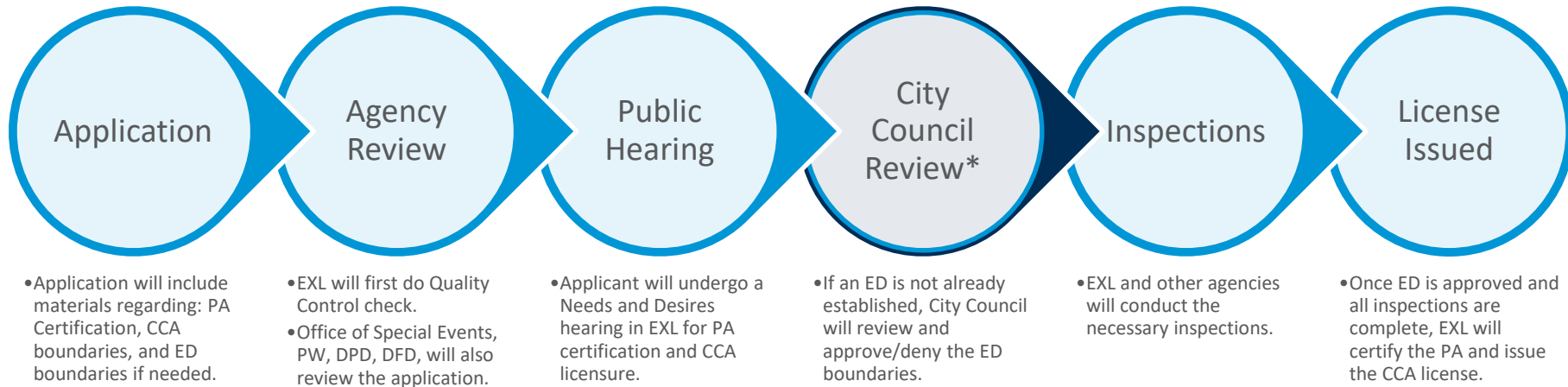
EXL Oversight

- EXL may refuse to issue license for failure to meet ordinance requirements
- EXL may refuse to issue, suspend, or revoke license for good cause (health, safety, welfare concerns)
- Modifications of PA board, CCA, and/or ED **must** be reviewed by EXL or City Council and **may** require new evidence of community support and additional public hearing

Other Major Features

- Public Needs and Desires hearing required for **ALL** applicants, 60 days after application, with posting for 30 days
- Noise ordinance applies
- Cabaret license required for CCAs with dancing and entertainment
- License may not be transferred to different location
- \$250 application fee; \$250 annual license fee

Proposed Licensure Process



Further Discussion Topics

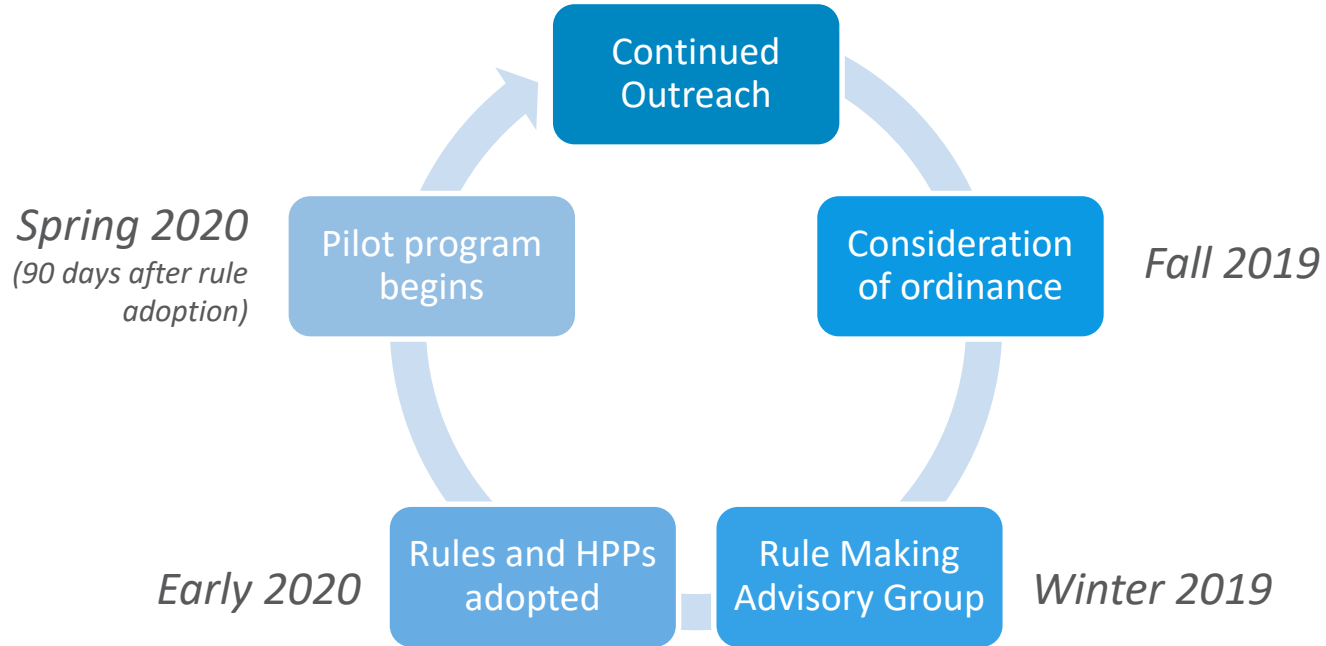
Topics for Rules and Regulations Discussion

- Application timelines and other rules specific to part-time CCAs
- Minimum amount of insurance PA is required to carry
- Requirements for safety + security plan, parking + transportation plan, and health + sanitation plan
- Issues that RNOs may address in Good Neighbor Agreements and place on CCA licenses
- Triggers for new evidence of community support and/or a new public hearing

Topics for Policies and Procedures Discussion

- Size of Designated Area
- Additional notification and posting requirements and guidelines
- Petitioning requirements and guidelines
- Procedures for requesting an evening hearing

Liquor Common Consumption: Next Steps



Sign up for our Liquor Bulletin to receive updates

The screenshot shows a web browser window with the URL <https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/liquor-licenses.html>. The page header includes the Denver logo and navigation links: Neighborhood, Business, Visiting, Government, Online Services, and Directory. A search bar is located on the right. Below the header, a blue navigation bar contains the following links: Business Licenses, Liquor Licenses, Marijuana Licenses, Public Hearings, Resource Center, News, Contact Us, and Security Services. The 'Business Licensing Center' link is highlighted with a red box. The main content area is titled 'Liquor Licensing Division' and contains the following text: 'Welcome to the Liquor Licensing Division of the Department of Excise and Licenses. Colorado liquor and beer retail licenses are issued by both the City and State licensing authorities. **New:** There is a new form that has been created to be used to re-issue a license if the license has been expired for more than 90 days but less than 180 days. The form is called **DR8407**. Please follow the directions carefully.' Below this text is a box with the following information: 'Appointments for new licenses, renewals, transfers or modifications of existing licenses will be accepted Monday - Friday, 8:00am - 3:00pm. Please Note: 1 application per appointment. You can check-in 15 minutes early to appointment. You will not be able to check-in late for an appointment.' A blue button labeled 'Make an Appointment »' is positioned below this box. On the right side of the page, there is a section titled 'LIQUOR LICENSES NEWS & BULLETIN' with a red 'SUBSCRIBE' button and a hand cursor icon. Below this is the text 'Sign up for the latest liquor licenses news and bulletins.' and a blue button labeled 'Sign Up Now »'. At the bottom of this section, there is a link for 'Liquor License Map' and a link for '500 Foot Rule - Six Month Report (PDF)'.

Questions?

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