

CHAPTER 2.68. - LOCAL LICENSING AUTHORITY

2.68.010. - Established—Authority generally.

There is established a local licensing authority, which shall have and is vested with the authority to grant or refuse licenses and special permits for the sale at retail of malt, vinous or spirituous liquors and fermented malt beverages, designate and assess fees, promulgate reasonable rules and regulations, ~~as provided by law,~~ conduct investigations ~~as required by law,~~ and to suspend or revoke such licenses for cause in the manner provided by law. Such authority shall have all the powers of the local licensing authority as set forth in the C.R.S. title 44, arts. 3 (C.R.S. § 44-3-101 et seq.), 4 (C.R.S. § 44-4-101 et seq.) and 5 (C.R.S. § 44-5-101 et seq.).

(Code 1981, § 1-21-1(A); Code 1993, § 2.68.010; Ord. No. O-97-38, § 1; Ord. No. [O-2019-05](#), § 1, 1-8-2019)

2.68.020. - Composition.

The local licensing authority (the authority) for the City of Longmont shall be the municipal judge. The municipal judge, or the judge's designee, shall act on behalf of the authority.

(Code 1981, § 1-21-1(B), (C); Code 1993, § 2.68.020; Ord. No. O-97-38, § 1)

2.68.030. ~~— City clerk—Licensing duties—Duties as authority secretary~~Licensing Duties - Secretary.

The city clerk or designee shall receive all applications for licenses, facilitate the departmental review for each application as described in the Rules of Procedure, issue the licenses granted by the local licensing authority upon payment of fees required, and maintain all licensing records of the City. The Authority shall designate a secretary to provide the necessary notice of meetings, secretarial and reporting services for the authority.

~~The city clerk shall receive all applications for licenses and shall issue all licenses granted by the local licensing authority upon payment of fees required and upon approval of the appropriate licensing authority. The city clerk shall serve as the official secretary of the authority and shall designate a person to provide the necessary notice of meetings, and secretarial and reporting services for the authority. The secretary shall keep the electronic recordings of all licensing authority hearings. The secretary shall transcribe or make arrangement for transcription of such records whenever required for appeals or otherwise.~~

(Code 1981, § 1-21-4; Code 1993, § 2.68.030; Ord. No. O-97-38, § 1)

2.68.040. - Hearings—Scheduling and notice of regular hearings.

~~A.—~~The authority shall hold hearings at such times as may be required to consider licensing functions and regulations, ~~—or—~~ matters relating to the establishment of rules and regulations, procedural considerations or other matters permitted of the local licensing authority by state law.

~~B.—~~The city clerk shall schedule local licensing authority hearings by notifying the authority as to any matter requiring the authority to act pursuant to law. Otherwise, the authority may schedule meetings at the authority's discretion and initiative in accordance with procedures established for the licensing authority.

(Code 1981, § 1-21-1(I), (J); Code 1993, § 2.68.040; Ord. No. O-97-38, § 1)

2.68.050. - Finality of decisions.

All decisions of the local licensing authority are final, subject only to appeal to a court of competent jurisdiction.

(Code 1981, § 1-21-1(L); Code 1993, § 2.68.050; Ord. No. O-97-38, § 1)

2.68.060. - Application and license fees—Establishment—Payment before licensing consideration.

Before the authority considers an application, the applicant shall pay the following fees to the city clerk:

- A. All fees specified and set in an amount pursuant to C.R.S. title 44, arts. 3 (C.R.S. § 44-3-101 et seq.), 4 (C.R.S. § 44-4-101 et seq.) and 5 (C.R.S. § 44-5-101 et seq.);
- B. Application fees for fermented malt beverage and alcoholic beverage licenses set by the authority to cover the actual and necessary expenses to the city of such application, subject to the limitations expressed by state law as to the maximum amounts which may be charged in conjunction with applications;
- C. Application fees set by the authority in conjunction with special event permits for both investigation and issuance of such permits, subject to the limitations on fee amounts set forth in state law.

(Code 1981, § 1-21-2; Code 1993, § 2.68.060; Ord. No. O-97-38, § 1; Ord. No. [O-2019-05](#), § 1, 1-8-2019)

2.68.090. - Licenses—Fingerprinting of applicant and employees.

Fingerprinting, when required by law or the authority, shall be conducted in accordance with procedures as prescribed by the Colorado Bureau of Investigation. ~~The police department shall record the fingerprints of each applicant for a new liquor license and all employees of such licensee dispensing alcoholic beverages.~~ The fingerprints shall become and remain a permanent part of the record of the license applicant.

(Code 1981, § 5-1-7; Code 1993, § 2.68.090; Ord. No. O-97-38, § 1)

2.68.100. - Elimination of distance restrictions from schools and campuses for hotel and restaurant or brew pub licenses.

Pursuant to C.R.S. § 44-3-313(1)(d)(III), the application of the 500-foot distance restrictions from schools and campuses for hotel and restaurant or brew pub liquor licenses, under C.R.S. § 44-3-313(1)(d)(I) are eliminated.

(Code 1993, § 2.68.100; Ord. No. O-95-46, § 1; Ord. No. O-97-38, § 1; Ord. No. O-97-62, § 2; Ord. No. O-2002-16, § 1; Ord. No. [O-2019-05](#), § 1, 1-8-2019)

2.68.110. - Optional premises licenses.

- A. *Standards.* The local licensing authority shall have the authority to issue optional premises licenses for hotel and restaurant licenses pursuant to the provisions of C.R.S. title 44, art. 3, (C.R.S. § 44-3-101 et seq.), and the provisions of this section. The provisions of this section shall be considered in addition to all other standards applicable to the issuance of licenses under the Colorado Liquor Code

(C.R.S. § 44-3-101 et seq.) for optional premises licenses or for optional premises for a hotel and restaurant license. These two types of licenses for optional premises shall collectively be referred to as "optional premises" unless otherwise specified.

- B. *Eligible facilities.* An optional premises may only be approved when that premises is located on or adjacent to an outdoor sports and recreational facility as defined in C.R.S. § 44-3-103 (33)(b). The types of outdoor and recreational activities which may be considered for an outdoor premises license include the following: golf courses and driving ranges.
- C. *Minimum size.* There are no restrictions on the minimum size of the outdoor sports and recreational facilities which may be eligible for the approval of an optional premises license. However, the local licensing authority may consider the size of the particular outdoor sports or recreational facility in relationship to the number of optional premises requested for the facility.
- D. *Number.* There are no restrictions on the number of optional premises which any one licensee may have on the outdoor sports or recreational facility. However, an applicant requesting approval of more than one optional premises shall demonstrate the need for each optional premises in relationship to the outdoor sports or recreational facility and its guests.
- E. *Application requirements.* An application for an optional premises license shall include the following:
 - 1. A map or other drawing illustrating the outdoor sports or recreational facility boundaries and the approximate location of each optional premises requested;
 - 2. A legal description of the approximate area within which the optional premises shall be located;
 - 3. A description of the provisions that have been made for storing malt, vinous and spirituous liquors in a secure area on or off the optional premises for the future use on the optional premises;
 - 4. A description of the method which shall be used to identify the boundaries of the optional premises when it is in use.
- F. *Advance notification.* Pursuant to C.R.S. § 44-3-310(3), no alcoholic beverages may be served on the optional premises until the licensee has provided written notice to the state and local licensing authorities 48 hours prior to serving alcoholic beverages on the optional premises. Such notice must contain the specific days and hours on which the optional premises are to be used. In this regard, there is no limitation on the number of days which a licensee may specify in each notice.

(Code 1993, § 2.68.110; Ord. No. O-97-16, § 1; Ord. No. O-97-38, § 1; Ord. No. [O-2019-05](#), § 1, 1-8-2019)

2.68.120. - Alcohol tastings.

- A. Pursuant to C.R.S. § 44-3-301(10)(a), retail liquor store or liquor-licensed drugstore licensees having a valid license may conduct alcohol tastings subject to the limitations stated in C.R.S. § 44-3-301.
- B. Qualified licensees wishing to conduct tastings must pay the required application fee and submit an application on forms prepared and furnished by the City of Longmont stating such information as the local licensing authority may require to enable the authority to determine whether the proposed tastings can be held without violating the provision of C.R.S. § 44-3-301 and the ordinance codified in this section and without creating a public safety risk to the neighborhood. Such information shall include proposed dates for tasting.
- C. After accepting an application under this section, the city clerk or designee shall process the application pursuant to the local licensing authority rules of procedure. Approved applications are valid for one year from the date of issuance.

(Ord. No. O-2007-57, § 1; Ord. No. O-2008-31, § 1; Ord. No. O-2016-52, § 1, 8-9-2016; Ord. No. [O-2019-05](#), § 1, 1-8-2019)