

## LIQUOR LICENSE APPLICATION PROCEDURES “AT A GLANCE”

### INTRODUCTION

Obtaining a liquor license is a time-consuming process and generally takes three (3) to four (4) months, sometimes longer, to complete. If an Applicant wishes to maximize the chances that his or her new business will be able to sell and serve alcohol when it first opens, the Applicant should contact the City Clerk well in advance of the projected business opening.

In general, there is a five hundred foot (500') distance restriction between a licensed premises and any public or parochial school or the principal campus of any college, university or seminary (§47-326, 1 C.C.R. 203-2). The Applicant is well-advised to research proposed locations *before* taking possession of a property.

This information below has been compiled to provide a brief overview of the liquor license application process. This document is *not* intended to serve as a comprehensive summary of all state and local laws applicable to liquor licensing in Edgewater. This document is not intended, and should not be construed, as legal advice or legal opinion. It is the responsibility of the Applicant to understand and comply with all provisions of the law that may apply to his or her application. An Applicant seeking legal advice should consult his or her own attorney. To obtain a copy of the Code and other information material regarding liquor licensing, visit [www.colorado.gov/revenue/liquor](http://www.colorado.gov/revenue/liquor).

### STEPS IN THE APPLICATION PROCESS

1. Obtain the application forms. The State has prescribed certain forms to be filled out for different aspects of a liquor license application and for different types of applications. The City requires that all businesses be licensed in the City on forms prepared by the City. You may obtain a business license application [here](#) or pick one up at Edgewater City Hall, 2401 Sheridan Blvd., Edgewater, CO. General information and forms may also be obtained from the [Colorado Division of Liquor Enforcement](#).
2. Complete the applications. The application provides for specific documentation that should accompany it. Use the document checklist to gather all of the required additional documents. All documents must be properly signed and correspond with the name of the Applicant **exactly**. All documents must be typed or legibly printed. City staff cannot provide legal advice or other such advice or guidance. Applicants are encouraged to consult with their own attorney, tax consultant, real estate broker, and any other business advisor during this process.
3. File any necessary documents with the Colorado Secretary of State. The following excerpt is from the Colorado Business Resource Guide: “If you are a sole proprietor or general partnership and will be doing business under a name other than your own legal names(s), you

must register your trade name(s) with the Colorado Secretary of State. If your business will be a Limited Partnership, Limited Liability Company, Corporation, Registered Limited Liability Partnership, Registered Limited Liability Limited Partnership or a Limited Partnership Association, you must file with the Secretary of State. If you do business under an additional name, you must file a “Statement of Trade Name” with the Secretary of State. Corporations, limited partnerships, limited liability companies and limited liability partnerships organized outside Colorado must file for authority to do business in Colorado as a foreign entity.” Visit <http://www.sos.state.co.us> for more information. The Applicant must also obtain a [Colorado State sales tax number](#).

4. If food service is involved, contact the Health Department. If the business entails food service, the Applicant should contact the [Jefferson County Health Department](#).
5. Submit fingerprints and background forms. All owners/officers/principals/directors of the business with ten percent (10%) of more ownership interest in the business must submit fingerprints and a background form. Please contact the [Edgewater Police Department](#) at (303) 235-0500 for more information.
6. Submit the completed applications with all attachments and State and City fees (two separate checks) to the City Clerk. An Applicant may wish to keep a copy of the applications for their records. Applicants are encouraged to schedule an appointment with the City Clerk to review the applications and documents. Allow approximately one (1) hour for the scheduled meeting. The City Clerk may be reached at 720-763-3002 or [bhedberg@edgewaterco.com](mailto:bhedberg@edgewaterco.com).
7. Attend the public hearing on the Application conducted by the City Council, which also serves as the Local Liquor Licensing Authority. The Applicant will be notified of the hearing time, place and date.

## UNDERSTANDING THE LIQUOR LICENSING PROCESS

This information is intended as a brief overview of the liquor licensing process in the City of Edgewater with a focus on new license applications. This document is not intended to serve as a comprehensive summary of all state and local laws applicable to liquor licensing in Edgewater. This document is not intended, and should not be construed, as legal advice or legal opinion. Persons seeking additional information are encouraged to thoroughly review the [State of Colorado Liquor Code](#) the City of Edgewater Liquor Code at Chapter 6, Article 2 of the [Edgewater Municipal Code](#), and other materials related to liquor licensing law.

### **Helpful Telephone Numbers and Email Addresses**

Edgewater City Clerk           720-763-3002 or [bhedberg@edgewaterco.com](mailto:bhedberg@edgewaterco.com).  
State Liquor Enforcement    303-205-2300 or [mdor\\_led@state.co.us](mailto:mdor_led@state.co.us)

### **Overview**

Because the holding of any type of liquor license grants legal privileges and rights and imposes considerable responsibilities, the proceedings governing the granting and revocation of such licenses can appear to be complex and not easily understood. This information is intended to assist citizens in participating more effectively in the liquor licensing process.

In Edgewater, liquor licensing decisions are made by the City Council acting as the Local Liquor Licensing Authority (herein, the “Authority”). The City Council consists of seven City Council members, plus the Mayor.

## APPLYING FOR A NEW LICENSE

Any person, partnership, joint venture, trust, limited liability company (LLC) or corporation (herein, the “Applicant”) desiring to sell or distribute alcoholic beverages (beer, wine or spirituous liquor) in the City of Edgewater must obtain two separate City licenses: 1. A general business license; and 2. A liquor license.

The process begins with the Applicant obtaining City and State forms. You may obtain a business license application [here](#) or pick one up at Edgewater City Hall, 2401 Sheridan Blvd., Edgewater, CO. General information and State Licensing forms may be obtained from the [Colorado Division of Liquor Enforcement](#).

Obtaining a liquor license is a time-consuming process and generally takes three (3) to four (4) months, sometimes longer, to complete. It is vital for Applicants to contact the City Clerk well in advance of their business opening. In general, there is a five hundred foot (500’) distance restriction between a licensed premises and any public or parochial school or the principal

campus of any college, university or seminary (§47-326, 1 C.C.R. 203-2). The Applicant is well-advised to research proposed locations *before* taking possession of a property.

Application forms require background information to enable the Authority, through its departments (Licensing, Police, Planning, Building, Fire), to research application details. This information is also important so that the Authority can make an informed decision on the application.

In addition to other information, the application requires the Applicant's criminal history (if any), financial backing and any connections to the liquor industry including all other licenses held, suspended or relinquished.

In order to be considered for a liquor license, all **completed** applications and fees (both City and State) must be submitted **directly** to the City Clerk. Authority members will receive copies of the application packet and some of this information is also available to the public. Completed liquor license applications and issued license files are generally considered public records (with some exceptions, such as social security numbers and bank account information contained in such records).

Upon the formal acceptance of the application, the matter will be scheduled for a public hearing. Colorado Liquor Code stipulates that this hearing must be no sooner than thirty (30) days after acceptance of the application. The Applicant will be notified of the time, place and date of the hearing.

The public will receive notice of the hearing through the City posting notice on the property and publishing notice in the newspaper. Hearings are quasi-judicial proceedings. The purpose of the hearing is to receive information, data and testimony from interested parties, including the Applicant. Interested parties may include adult City residents, the managers and owners of City businesses and the principals of schools located within 500 feet of the proposed business location. After the hearing is closed, the Authority may issue its decision immediately, the same evening, or on some future date no later than thirty (30) days thereafter.

Liquor License Authority Hearings are typically held in conjunction with Regular City Council Meetings. The agenda will vary depending upon the type of City business needing to be addressed.

## **DOCUMENTING NEEDS AND DESIRES**

Before approving a liquor license application, the Authority must consider the reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, remonstrance, supporting witnesses or other evidence submitted by the Applicant and by residents and business owners/managers of the designated neighborhood. In person testimony may be given at the hearing. Letters in favor or opposed to the application should be submitted prior to the hearing.

Although the law does not require that an Applicant petition the neighborhood, it is the most common form of evidence presented. Signatures obtained from door to door petitioning must be

from residents and business owners/managers of the defined neighborhood. Please note that only door to door petitions will be considered by the Authority. All persons signing must be at least twenty-one (21) years of age and either reside in the neighborhood or own and/or manage a business in the neighborhood.

There is no set number of required signatures you must obtain on a petition, but you must provide the Authority with sufficient evidence to support its findings that: 1) the reasonable requirements of the neighborhood establish a need for the issuance of the requested license; and 2) that the desires of the adult inhabitants dictate the issuance of the license. The Authority will also be looking to assure that a good sampling of the designated neighborhood was taken.

Each petitioner who has collected petition results door to door must include a signed "Affidavit of Circulator" that is notarized indicating that he/she personally witnessed each signature appearing on the petition and that, to the best of his/her knowledge, each signature is the signature of the person whose name it purports to be and that the address given opposite the person's name is the true residential or business address of the person signing the petition. Failure to affix a completed affidavit of circulator, including notarization, may cause petition invalidity concerns to be raised by the Authority.

The designated neighborhood for all applications is the entire City. An Applicant may choose to do their own petitioning or they may hire a petitioning company for proving needs and desires. All petitions must be in substantial conformity to the format provided herein.

Applicants must provide the petition results to the City Clerk no less than seven (7) business days prior to the public hearing.

Should you fail to prove to the Authority that there is a need and desire for a license at the proposed location and the application is denied, a new application may not be submitted for a similar alcohol beverage license at that location or within five hundred (500) feet of that location for a period of two (2) years; one (1) year for a 3.2% Beer License.

### **INSTRUCTIONS FOR SURVEYS/PETITIONS**

Applicants for a new license may conduct a survey/petition of the neighborhood to show the needs and desires of the adult inhabitants of the neighborhood. Attached is the form approved for use by the city clerk. You may wish to consult with your own attorney regarding the statutory requirements for a new license, modification of premises, or a change of location.

The Edgewater Liquor Licensing Authority has designated the presumptive neighborhood as the area within the City's boundaries which are generally defined as:

West 26<sup>th</sup> Avenue on the north.  
West 17<sup>th</sup> Avenue on the south.  
Sheridan Boulevard on the east.  
Pierce Street on the west.

## CRITERIA FOR CIRCULATION

These criteria must be adhered to for all surveys/petitions and a copy must accompany every survey/petition packet and be available for inspection upon request of anyone being contacted. The Edgewater Liquor Licensing Authority expects these criteria to be met and any deviation may result in the rejection of the survey.

### All surveyors/petitioners must:

1. Ensure that all persons signing the survey/petition are at least 21 years of age and are a resident, business owner or designated manager of a business in the neighborhood. If a signer is both a resident and owner and/or manager of a business of the neighborhood he/she may only sign the survey/petition once and indicate he/she is both a resident and business owner and/or manager. **No signatures will be accepted where the wife or husband has signed for both unless accompanied by a proper and sufficient power of attorney for the non-signing spouse.**
2. Follow these instructions and conduct surveys/petitions in an unbiased manner. Any evidence of influencing a qualified contact's opinion may result in the disqualification of the survey/petition.
3. Circulate the surveys/petitions only inside the neighborhood defined by the City Clerk's Office.
4. Attach to the survey/petition the required notarized affidavit of the circulator.
5. Provide a computation of results on the Petition Summary Sheet (enclosed) showing the number breakdown of all parties surveyed/petitioned and their responses. This must accompany all survey/petition packets circulated on the application and must be turned in to the City Clerk's Office no later than seven (7) days prior to the Public Hearing date noted in the header of the survey/petition. Failure to file all surveys/petitions in a timely manner may result in the surveys/petitions being null and void.
6. Survey/petition circulators may be requested to appear at the hearing before the Edgewater Liquor Licensing Authority. If they are requested to appear, this may cause a continuance in the proceedings.

**THE PRECEDING INFORMATION SHOULD NOT BE CONSTRUED AS LEGAL ADVICE OR AS A SUBSTITUTE FOR LEGAL COUNSEL.**

**Neighborhood Needs & Desires  
Petition Summary  
For a New License**

Applicant: \_\_\_\_\_

Name of Establishment: \_\_\_\_\_

Street Address: \_\_\_\_\_

License Type: \_\_\_\_\_

Date(s) of Petitioning: \_\_\_\_\_

Total Contacts Made: \_\_\_\_\_

Not at Home: \_\_\_\_\_

Not Qualified: \_\_\_\_\_

Refused to Sign: \_\_\_\_\_

Number of Signatures in Opposition

Needs & Desires Already Met: \_\_\_\_\_

Religious Objection: \_\_\_\_\_

Remained Neutral: \_\_\_\_\_

Alcohol Usage Objections: \_\_\_\_\_

No Reason Given: \_\_\_\_\_

Total Number in Opposition: \_\_\_\_\_

Total Number in Favor: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Petitioner

**AFFIDAVIT OF CIRCULATOR**

TYPE OF LICENSE APPLICATION: \_\_\_\_\_

APPLICANT: \_\_\_\_\_

\*Applicant\* is defined as the Legal Name of Individual or Business Entity that will hold license if approved.

NAME OF ESTABLISHMENT: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

I, \_\_\_\_\_, being of legal age (21 years or older), do hereby state that I was the circulator of said petition consisting of \_ pages including this page, and further state that I personally witnessed each signature appearing on said petition, and that each signature thereon is the signature of the person whose name it purports to be; further, that the address given opposite that person's name is the true address of the person signing; that every person who signed, represented himself or herself. The petition signer read or had read to him or her the statement appearing on page one hereof and understood the nature of the petition. I also hereby swear and affirm that no promises, threats, or inducements were employed whatsoever in connection with the presentation of this petition, and that every signature appearing hereon was completely free and voluntarily given.

\_\_\_\_\_

Circulator

State of Colorado )  
 ) ss.  
County of \_\_\_\_\_)

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

Notary Public

\_\_\_\_\_

Address

My commission expires: \_\_\_\_\_.





2401 Sheridan Boulevard  
Edgewater, Colorado 80214  
www.edgewaterco.com

## Worksheet for Determining Total Payment

Check made payable to the Colorado Department of Revenue

Application Fee	_____
Concurrent Review (when requested)	_____
License Fee	_____
Registered Manager (when needed)	_____
Other: _____	_____
Other: _____	_____
TOTAL	=====

Check made payable to the City of Edgewater

Application Fee	_____
License Fee	_____
Registered Manager (when needed)	_____
Other: _____	_____
Other: _____	_____
TOTAL	=====

**LIQUOR LICENSE APPLICATION CHECKLIST**

**INSTRUCTIONS:** This checklist should be utilized to assist applicants with filing all required documents for approval of the liquor license.

*All documents must be properly signed and must correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the liquor license will be mailed to the local licensing authority. All other licenses will be issued from the City of Edgewater.*

**PLEASE CHECK ALL APPROPRIATE BOXES WITH COMPLETED AND SUBMITTED DOCUMENTS****APPLICANT INFORMATION**

- Applicant/Licensee identified.
- State sales tax license number listed or applied for at time of application.
- License type or other transaction identified.
- Appropriate Fees.
- Return original to local authority.

**DIAGRAM OF THE PREMISES**

- No larger than 8 1/2" x 11". May be hand drawn.
- Show area to be licensed outlined in red.
- Show dimensions of the premises (doesn't have to be to scale). Orientate N/S/W/W. Exterior areas should show control (fences, walls, partitions, etc.). Separate diagram for each floor (if multiple levels).
- Show where alcoholic beverages are stored in relation to service bar. Include restrooms, bar, storage, office, if there is one, and kitchen, if kitchen is required.
- Show any other area that applicant would like to have licensed for the sale, service or consumption on the premises such as a patio.

**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.**

**PROOF OF PROPERTY POSSESSION**

- Deed
- Lease
- Lease Assignment in the name of the Applicant (ONLY) with proper consent from the Landlord and acceptance by the Applicant.
- Other Agreement if not deed or lease.

**BACKGROUND INFORMATION AND FINANCIAL DOCUMENTS**

- Individual History Record(s) (Form DR 8404-1).
- Fingerprints taken by the Edgewater Police Department. Please call at 303-235-0500 for information.
- Purchase agreement, stock transfer agreement, and/or authorization to transfer license.
- List Money in Form DR 8404-1.
- List of all notes and loans.

**CORPORATE APPLICANT INFORMATION (If Applicable)**

- Certificate of Incorporation (and/or)
- Certificate of Good Standing if incorporated more than 2 years ago.
- Certificate of Authorization if foreign corporation.
- Individual History Record(s) (Form DR 8404-1).
- List of officers, directors and stockholders of Parent Corporation (designate one person as "principal officer").

**PARTNERSHIP APPLICANT INFORMATION (If Applicable)**

- Partnership Agreement (general or limited). Not needed if husband and wife.
- Individual History Record(s) (Form DR 8404-1).

**LIMITED LIABILITY COMPANY APPLICANT INFORMATION (If Applicable)**

- Copy of articles of organization (date stamped by Colorado Secretary of State's Office).
- Copy of operating agreement.
- Certificate of Authority (if foreign company).
- Individual History Record(s) (Form DR 8404-1).

**MANAGER REGISTRATION**

- Manager Registration form.
- \$75.00 Manager Registration fee. (Only required for Hotel & Restaurant License and Tavern license).
- Individual History Record (Form DR 8404-1).

**OTHER**

- City Business/Sales Tax License.
- Affidavit of Transfer and Statement of Compliance (Transfer of Ownership Only).
- Application for Temporary Permit (Transfer of Ownership Only).
- Applicant should obtain a copy of the State of Colorado Liquor & Beer Code Regulations <http://www.colorado.gov/revenue/liquor>