

Attachment 6
Review Pages 1-4
Submit Pages 4-8

SPECIAL EVENT LIQUOR PERMIT

Introduction

These Special Event Liquor Permit Guidelines have been developed by the Edgewater City Clerk's office to assist your organization in obtaining a permit for alcohol beverage service at your special event. This document is *not* intended to serve as a comprehensive summary of all state and local laws applicable to special event liquor permitting 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 regulations and other information material regarding special event liquor permitting, visit www.colorado.gov/revenue/liquor.

A Special Event Liquor Permit authorizes the sale of alcohol beverages by the drink to the public for a onetime event on unlicensed premises. A special event may be conducted on the licensed premises of a Club liquor licensed establishment, or other non-licensed locations. There are two

(2) types of Special Event Liquor Permits:

- Fermented malt beverage (i.e. beer) from 5 a.m. to 12 midnight on the same day of the event.
- Malt, Vinous and Spirituous – Allows for the sales of malt, vinous and spirituous liquors from 7 a.m. to 2 a.m. of the day immediately following the date of the event.

Qualifications

Applicants may or may not currently hold a liquor license and must be one of the following to qualify for a Special Events Liquor Permit:

- A non-profit organization that has been incorporated pursuant to Colorado law for purposes of a social, fraternal, patriotic, political or athletic nature; OR
- A non-profit regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes; OR
- An organization which is a regularly established religious or philanthropic institution; OR
- A political candidate who has filed the necessary reports and statements with the Colorado Secretary of State.

Event Liquor Application

The following items must be submitted to the Edgewater City Clerk's office with the entirety of the Special Events Application Packet (the City Clerk, for good cause, may waive this time requirement):

- State Form DR 8439 – Application for a Special Events Permit
- Special Events Liquor Permit Questionnaire (below)
- Attach diagram of the area to be licensed shown on 8 ½ X 11 paper and include ALL of the following:
 - Linear dimensions of each boundary and total square footage.
 - Show the street and address closest to the main entrance of the event.
 - Show all entrances and exits.
 - Describe the type and height of boundary barriers.
 - Outline in red ink the perimeter of the entire area in which alcohol will be stored, consumed and served and indicate on the diagram where alcohol will be stored and served.
 - Directional orientation (show North arrow).
- Attach copy of deed, lease or written permission from the owner for use of the premises.
- Attach proof of qualified non-profit status:
 - Certificate of non-profit status and authority to do business in Colorado as issued by the Colorado Secretary of State (Certificate of Good Standing) issued within the past year; OR
 - Copy of the organization's charter.
- If a political candidate, then attach reports and statements filed with the Secretary of State.
- Copy of certificate of liability insurance document showing that the applicant has an insurance policy currently in effect with liquor liability coverage of not less than the maximum limit established by the Colorado Governmental Immunity Act, Title 24, Article 10, Colorado Revised Statutes, as amended, which is currently \$990,000 per occurrence. The responsible organization shall not be relieved of any liability, claims, demands or other obligations assumed by reason of its failure to procure or maintain insurance in insufficient amounts, durations or types. The City of Edgewater, its officers, officials and its employees must be listed as additional insured on the policy.
- Copy of current Colorado State Sales Tax License.
- Required Fees: \$100 per day payable to the City of Edgewater.

Review of Application & Forms

The Edgewater City Clerk's office will review the application forms and accompanying documents for accuracy and completeness with the entirety of a Special Events Application Packet. Failure to correct identified problems with the license application will result in a delay in processing the desired permit. In reviewing an application, the City Clerk's office shall apply the same standards for approval and denial applicable to the state licensing authority.

Notice

After the permit application and accompanying documents are complete to the satisfaction of the City Clerk's office, staff will post a notice of the desire to have a special event liquor permit. Such notice shall be posted on the premises where the special event is proposed for at least ten (10) days prior to the issuance of the permit.

If, during the ten (10) day posting period, a written protest is received by the City Clerk's office, the City Clerk's office shall forward the special event liquor permit application to the Liquor License Authority ("Authority"). A public hearing on the application will be held by the Authority at the next available meeting date. Notice of the public hearing shall be provided to the Applicant and to any person who filed a protest. If the Authority approves the application at the public hearing, the City Clerk's office will issue the special event liquor permit. Notice of the permit will be sent to the State Licensing Authority within ten (10) days of issuance.

Other Conditions

- A special event permit for the sale of malt, vinous and spirituous liquors may not be issued if the proposed licensed location is within five hundred feet (500') of any public or parochial school EXCEPT during those hours when no classes are scheduled.
- Permit holders are reminded that they are responsible for the payment of state and city sales taxes on the sales of alcoholic beverages and any food items.
- The City Clerk's office will not issue a special events liquor permit unless the Applicant has a Colorado Sales Tax Account and has obtained a City of Edgewater Sales Tax License. After the event, the Applicant must remit a completed City of Edgewater Sales Tax Form with the necessary sales tax by the 20th of the following month.
- Permit holders may NOT sell alcohol beverages in sealed containers and/or allow removal of the beverages from the licensed area.
- Special event permit holders must have sandwiches or other food snacks available during all hours of service of malt, spirituous, or vinous liquors, but prepared meals need not be served.
- Persons at least eighteen (18) years of age, but not twenty-one (21) years of age, may sell, serve, dispense or distribute alcohol beverages as long as they are under the supervisions of a person at least twenty-one (21) years of age.
- Persons must be at least twenty-one (21) years of age to purchase, possess and consume alcohol beverages in Colorado.
- Alcohol beverages to be sold may be purchased from a Colorado-licensed wholesaler, brew pub, vintner's restaurant, limited winery, retail liquor store or liquor-licensed drugstore.
- A special event permit may not be issued to any organization for more than fifteen (15) days in one calendar year.
- All licenses and permits required must be posted in a conspicuous place on the licensed area for the general public to observe. The licenses and permits required include, but are not limited to, the following:
 - Special Event Liquor Permit
 - Minor Warning Sign (provided by the City)
 - State Sales Tax License
 - City Sales Tax License

Alcohol Beverage Selling/Serving Guidelines

The dispensing of alcohol beverages is a highly-regulated venture and merits awareness of the law. The two (2) keys areas of the law to be mindful of are serving to underage individuals and serving to intoxicated individuals. Those responsible for selling/serving alcohol beverages should:

- Not serve to a person who is under the age of twenty-one (21) years.

Anyone appearing to be under the age of twenty-one (21) should be asked for a picture identification, preferably a driver's license, before being served.

- Not serve to a person who appears to be intoxicated.

Responsible consumption is encouraged and event organizers should not knowingly allow anyone to enter the event if obviously intoxicated or allow a guest to become intoxicated at the event.

Serving an intoxicated or underage person is illegal and can subject the seller to both civil and criminal liability.

Those responsible for selling/serving should monitor the amount of alcohol consumed by guests and should be aware of any behavior changes that may occur as a result of drinking alcohol. Some reactions to watch for include:

- Bloodshot Eyes
- Slurred or Irregular Speech
- Poor Coordination
- Swaying or Drowsiness
- Spilling Drinks or Food
- Flushed Face
- Staggering or Tripping
- Stumbling Into Objects
- Walking Into People
- Obnoxious Behavior
- Aggressiveness
- Inappropriate Laughter
- Change in Emotions
- Altered Speech Pattern
- Loud/Boisterous
- Drinking Too Fast
- Fumbling
- Ordering "Doubles"

It is the responsibility of the permit holder for a special event to obey all state and local laws regarding the service of alcohol. The above-mentioned information is only a guideline provided as a courtesy by the City of Edgewater. It does not relieve the permit holder from any responsibility of obeying all applicable liquor codes, statutes or regulations.

Attachment 6**SPECIAL EVENT LIQUOR PERMIT QUESTIONNAIRE**

This Questionnaire and Affidavit must be accompanied by the Colorado Department of Revenue form DR 8439.

1. Please list the name of the Applicant organization or political committee (line 1 of DR 8439).

2. Applicant Contact Name: _____
3. Contact Email: _____ Phone Number: _____
4. Explain in detail the nature of your organization, its function, and who benefits from its operations.

5. Who or what organization will be the recipient of funds derived from this event?

6. Briefly describe your event: _____
7. How many people do you expect will attend your event? _____
8. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e. fencing, ropes, barriers, etc.)?

9. Describe the procedures that will be used to monitor alcohol use, identify the age of purchasers and prevent alcohol from entering or leaving the designated area:

10. Have volunteers or members of your organization or political committee been trained in the sales/service of alcohol beverages? Yes No
If yes, what training have they received and by whom?

11. What type of alternate beverages and food will be available?

12. During what hours will you be serving alcohol? _____

13. Identify who will be providing the alcohol: _____

14. Is the alcohol donated or purchased? Donated Purchased

15. Is the location for the special permit requested within five hundred feet (500') of a school?
 Yes No

If yes, will the school be in session during the event?

Yes No

16. Were there any compliance problems in the past event(s) for which a special permit had been issued? Yes No

If yes, explain what changes have been made to ensure compliance for this event:

17. Does the Applicant have current state and local sales tax licenses? Yes No
If yes, please provide those numbers.

18. Explain how and where the Applicant will post in a conspicuous manner the licenses, permits and notices required to be posted:

Oath of Application

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge and belief. I also acknowledge that it is my responsibility to comply with the provisions of the Edgewater Municipal Code and all Rules and Regulations which govern my Special Event Permit. I further acknowledge that it is my responsibility to provide the City with amendments to this application in the event that any information provided herein changes after the date of application.

Applicant Signature	Printed Name	Date