

ORDINANCE NO. 17-76

AN ORDINANCE AMENDING ARTICLE 5 (ALCOHOL BEVERAGES) OF CHAPTER 2 (BUSINESS LICENSING, LIQUOR REGULATION AND TAXATION) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 302 (Classification and Occupation Tax Established) Part 3 (Occupational Tax on Liquors) of Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

2.5.302: CLASSIFICATION AND OCCUPATION TAX ESTABLISHED:

\* \* \*

A. Hotel and restaurant licensees, tavern licensees, brewpub licensees, distillery pub licensees, vintner's restaurant licensees, **and** lodging and entertainment licensees, ~~and resort licensees~~: The annual occupation tax is set at four hundred dollars (\$400.00).

\* \* \*

Section 2. Section 501 (Hearing on Applications) of Part 5 (Issuance of Licenses) of Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

2.5.501: HEARING ON APPLICATIONS:

A. The Liquor and Beer Licensing Board shall have the power to hear and determine applications for new licenses, ~~transfers~~, change of locations and modifications, alterations or expansion of the licensed premises.

\* \* \*

Section 3. Part 7 (General Liquor Offenses) of Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

2.5.701: HOURS OF SALE:

A. Alcohol By The Drink:

1. It shall be unlawful for any person to sell, serve or distribute any alcohol beverage by the drink for consumption on the licensed premises or to permit the consumption of any alcohol beverage any day of the week between the hours of two o'clock (2:00) A.M. and seven o'clock (7:00) A.M., **unless more limited hours are specifically authorized in a Resolution authorizing and establishing an Entertainment District.**

2. \* \* \*

B. Alcohol In Sealed Containers: It shall be unlawful to sell, serve or distribute any alcohol beverage in sealed containers ~~Monday through Saturday~~ **each day** between the hours of twelve o'clock (12:00) midnight until eight o'clock (8:00) A.M. ~~and all day Sunday; except that for a limited winery licensee, sales of vinous liquors in sealed containers or by the glass shall be permitted on Sunday beginning at eight o'clock (8:00) A.M. until twelve o'clock (12:00) midnight.~~ No malt, vinous, or spirituous liquors shall be sold, served, or distributed in a sealed container on Christmas Day.

C. Fermented Malt Beverages: It shall be unlawful to sell fermented malt beverages containing not more than 3.2 percent alcohol by weight any day of the week between the hours of twelve o'clock (12:00) midnight and ~~five~~ **eight** o'clock (~~5~~**8**:00) A.M.

Section 4. Any person convicted of violations of Part 7 (General Liquor Offenses) of Article 5 (Alcohol Beverages) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, shall be punished as provided in Section 201 (General

Penalty) of Part 2 (General Penalty) of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs, 2001, as amended.

Section 5. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 6. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 22<sup>nd</sup> day of August, 2017.

**Finally passed:** September 12<sup>th</sup>, 2017

  
\_\_\_\_\_  
Council President

**Mayor's Action:**

- Approved on Sept. 15, 2017.
- Disapproved on \_\_\_\_\_, based on the following objections:

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John W. Suthers  
Mayor


**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Council President


ATTEST:

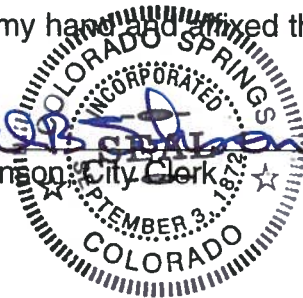
Sarah B. Johnson  
Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled “AN ORDINANCE AMENDING ARTICLE 5 (ALCOHOL BEVERAGES) OF CHAPTER 2 (BUSINESS LICENSING, LIQUOR REGULATION AND TAXATION) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 22<sup>nd</sup>, 2017; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 12<sup>th</sup> day of September, 2017, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 14<sup>th</sup> day of September, 2017.

  
Sarah B. Johnson, City Clerk



1<sup>st</sup> Publication Date: August 25<sup>th</sup>, 2017

2<sup>nd</sup> Publication Date: September 20<sup>th</sup>, 2017

Effective Date: September 25<sup>th</sup>, 2017

Initial: SBJ  
City Clerk