



Legislation Details (With Text)

File #: 17-1179 **Version:** 2 **Name:**

Type: Ordinance **Status:** Mayor's Office

File created: 7/31/2017 **In control:** City Council

On agenda: 9/12/2017 **Final action:** 9/12/2017

Title: Ordinance No. 17-76 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

Presenter:
Sarah B. Johnson, City Clerk
Lee McRae, License Enforcement Officer

Sponsors: Lee McRae

Indexes:

Code sections:

Attachments: 1. Clerk-CS_Ch2ORD-2017-08-22, 2. Signed Ordinance 17-76

Date	Ver.	Action By	Action	Result
9/12/2017	1	City Council	finally passed	Pass
8/22/2017	1	City Council	approved on first reading	Pass
8/7/2017	1	Council Work Session	referred	

Ordinance No. 17-76 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

Presenter:

Sarah B. Johnson, City Clerk
Lee McRae, License Enforcement Officer

Summary:

Presentation to discuss proposed ordinance to amend the City' Liquor Code for minor housekeeping changes, including to change the approval process for transfers of ownership to an administrative function of the City Clerk.

Previous Council Action:

City Council last amended the City's Liquor Code in 2016, and passed Ordinance 16-79 to add a Lodging and Entertainment Liquor License type.

Background:

In concert with changes to the City's Liquor Code for enabling entertainment districts (see file #17-973 and #17-1178), this proposed Ordinance is to (i) make additional "housekeeping" changes to change the approval process for transfers of ownership to an administrative function of the City Clerk; (ii) amend the Hours of Sale to accommodate potential differences in hours for entertainment district;

and (iii) amend outdated language.

Pursuant to existing State Liquor Code and Rules, changes of ownership of liquor licensees, including transfers of ownership to a new licensee, do not require a public hearing, as there is no applicable neighborhood needs and desires requirement for an established existing licensed location. In determining whether to permit a transfer of ownership, the Local Licensing Authority shall consider only the requirements of background suitability (persons prohibited) and possession of the premises. In fact, the applicant either qualifies or does not, and a Liquor Board hearing appears to be a redundant exercise in restating the applicant qualifications. This proposed change will move the approval of a transfer of ownership application from a Liquor Board hearing to an administrative approval process with the City Clerk. This is the same as the existing approval process for changes in ownership structure, where only the eligibility of the new owner(s) is reviewed and approved.

This item supports the City's strategic goal relating to Excelling at City Services, and refines the liquor licensing process to remove barriers for obtaining a license by eliminating unnecessary hearings, thereby reducing the processing and approval time by the City and State licensing authorities.

Financial Implications:

N/A

Board/Commission Recommendation:

These changes, along with Entertainment District general information are being presented to the City's Liquor and Beer Licensing Board on August 4, 2017. Proposed changes to the code and rules would then be scheduled for action at the August 18, 2017 Liquor Board meeting, and forwarded to City Council for consideration/action.

Stakeholder Process:

Minor housekeeping changes were proposed to several licensees and stakeholders for comment, with no objections being presented.

Alternatives:

Set item for first reading at August 21, 2017 City Council Meeting

Remand item for further changes or discussion.

Proposed Motion:

Approve 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

Amend the City's Liquor Code for minor changes regarding transfer applications and hours of sales.