Legislation Details (With Text)

File #:	19-732	**Version:**	2	**Name:**	
Type:	Ordinance			**Status:**	Mayor's Office
File created:	11/21/2019			**In control:**	City Council
On agenda:	2/11/2020			**Final action:**	2/11/2020
Title:	Ordinance No. 20-10 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, pertaining to Liquor Code. Presenter: Sarah B. Johnson, City Clerk Lee McRae, License Enforcement Officer, City Clerk Office				
Sponsors:	Lee McRae				
Indexes:					
Code sections:					
Attachments:	1. Clerk-LiquorCodeORD-2019-11-02.pdf, 2. Signed Ordinance 20-10.pdf				

Date	Ver.	Action By	Action	Result
2/11/2020	1	City Council	finally passed	Pass
1/28/2020	1	City Council	approved on first reading	Pass
1/13/2020	1	Council Work Session	referred	

Ordinance No. 20-10 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, pertaining to Liquor Code.

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

Summary:
Revisions to the City's Liquor Code to align with recent State Liquor Code re-codification and amendments, to include amending multiple definitions, amendments to reflect elimination of 3.2% Beer, repealing the City's Tastings Server Permit requirement, and moving process and procedure rulemaking to an administrative function.

Background:
Colorado Senate Bill 18-243 made significant changes to the State Liquor Code to include, among other items, eliminating the maximum alcohol content for (3.2%) Beer, harmonizing all Fermented Malt Beverage regulations, and expanding the provisions for authorized tastings by wholesalers and manufacturers. Colorado House Bill 18-1025 re-codified the State Liquor Codes to a new Title 10, Articles 3, 4, and 5. These statutory and subsequent rule changes at the State level created the need for amending the City Liquor Code for elimination of redundancies, amending statutory

references, and aligning the City's tastings requirements with the State. As a part of the alignment with the State tastings requirements, the proposed ordinance eliminates the City's requirement for a separate Tastings Server Permit for each individual engaged in the tastings. These amendments also propose changing the process and procedures rulemaking authority for the "Liquor and Beer Rules and Regulations for the City of Colorado Springs" from Council Resolution to an administrative function with public comment period, to align with and similar to the existing process for Liquor Promotional Associations, MMJ, and General Business licensing.

Previous Council Action:
City Council last approved amendments to the City's Liquor Code by Ordinance 17-114 which eliminated the Liquor and Beer Licensing Board in favor of those duties to be accomplished by Hearing Officers at public hearings, effective 2/1/2018.

Financial Implications:
The elimination of Tasting Server Permits will reduce license fee revenue collection by approximately $2650 annually.

City Council Appointed Board/Commission/Committee Recommendation:
N/A

Stakeholder Process:
Elimination of Tastings Server Permits was proposed by current licensees, and resulted from discussions with multiple licensees since the effective dates of the statutory changes. Licensees expressed no opposition to rulemaking changes, as well as when first proposed in 2017.

Alternatives:
N/A

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, pertaining to Liquor Code.

An ordinance amending the City Liquor Code to align with recent State Liquor Code re-codification and amendments, to include amending multiple definitions, amendments to reflect elimination of 3.2% Beer, repealing the City's Tastings Server Permit requirement, and moving process and procedure rulemaking to an administrative function.