



RESOLUTION NO. 2004- 87

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

AUTHORIZING AND ADOPTING REGULATIONS REGARDING THE CONDUCT OF ALCOHOLIC BEVERAGES TASTINGS BY RETAIL LIQUOR LICENSEES IN UNINCORPORATED SUMMIT COUNTY, COLORADO. (Clerk and Recorder's Office)

WHEREAS, pursuant to C.R.S. 12-47-301(10) the Board of County Commissioners of Summit County Colorado may authorize retail liquor store licensees in unincorporated Summit County to conduct on premises alcoholic beverages tastings within certain specified limits; and

WHEREAS, the BOCC desires to adopt a resolution authorizing and adopting regulations regarding the conduct of tastings of alcoholic beverages by licensed retail liquor licensees in unincorporated Summit County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT:

A. **AUTHORITY; PURPOSE:** This Resolution is adopted pursuant to the authority granted by Section 12-47-301(10)(a), C.R.S., and for the purpose of authorizing alcoholic beverage tastings pursuant to such statute.

B. **DEFINITIONS:** Terms used in this Resolution which are defined in the Colorado Liquor Code (Article 47 of Title 12, C.R.S.) or in the Colorado Beer Code (Article 46 of Title 12, C.R.S.) shall have the meanings provided in such statutes. Additionally, as used in this Resolution, the following words shall have the following meanings, unless the context clearly requires otherwise:

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| LOCAL LIQUOR LICENSING AUTHORITY: | Board of County Commissioners of Summit County Colorado. |
| TASTING: | The sampling of malt, vinous, or spirituous liquors on the premises of a retail liquor store or liquor-licensed drugstore. |
| TASTINGS LICENSE: | A separate license valid for one year issued by the Local Liquor Licensing Authority pursuant to this Resolution authorizing tastings to be conducted by the licensee. |

C. LICENSE REQUIRED: A retail liquor store or liquor-licensed drugstore licensee may conduct Tastings only pursuant to a valid Tastings License.

D. APPLICATION: A retail liquor store or liquor-licensed drugstore licensee who wishes to conduct Tastings shall submit an application to the Local Liquor Licensing Authority on forms supplied by the Liquor Licensing Authority. Such application shall be accompanied by a non-refundable annual fee of \$25.00 dollars.

E. APPROVAL OR DENIAL OF APPLICATION: If the applicant demonstrates that he or she is able to conduct Tastings without violating the provisions of this Resolution or Section 12-47-301(10)(a), C.R.S., and without creating a public safety risk to the neighborhood, the application shall be approved and the Tastings License issued. Otherwise, the application shall be denied.

F. ANNUAL LICENSE: A Tastings License shall be valid for one year, and shall run concurrently with the retail liquor store or liquor-licensed drugstore license of the holder of the Tastings License; provided, however, that the first Tastings License issued to a retail liquor store or liquor-licensed drugstore licensee shall be valid only until the expiration of the then-current retail liquor store or liquor-licensed drugstore license.

G. LIMITATIONS ON TASTINGS: Tastings conducted by the holder of a Tastings License shall be subject to the limitations and requirements set forth in Section 12-47-301(10)(c), C.R.S., as amended from time to time. Compliance with the limitations and requirements set forth in Section 12-47-301(10)(c), C.R.S., shall be a term and condition of any Tastings License, whether expressly set forth in the Tastings License or not.

H. LICENSEE RESPONSIBLE: A violation of the provisions of this Resolution by a retail liquor store or liquor-licensed drugstore licensee, whether by his or her employees, agents, or otherwise, shall be the responsibility of the retail liquor store or liquor-licensed drugstore licensee who is conducting the tasting.

I. SUSPENSION OR REVOCATION OF LICENSE: Any violation of the terms and conditions of a Tastings License may result in the suspension or revocation of the Tastings License, as well as the licensee's retail liquor store or liquor-licensed drugstore license. The suspension or revocation of the retail liquor store or liquor-licensed drugstore license of the holder of a Tastings License shall automatically operate to suspend or revoke such Tastings License.

J. PROOF OF QUALIFICATIONS OF PERSONS CONDUCTING TASTINGS: Upon the request of any peace officer, the holder of a Tastings License shall provide proof that Tastings are to be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division in the Department of Revenue of the State of Colorado, and who is either the retail liquor store licensee or a liquor-licensed drugstore licensee, or an employee of such licensee.

K. SEVERANCE: If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution.

Adopted this 22nd day of November 2004.

**BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO**

By: *William C. Wallace*
William C. Wallace, Chairman

Approved as
to form
FC
Legal

ATTEST:
SEAL *Cheri Brunvand*
Cheri Brunvand, Clerk & Recorder
COLORADO