

TOWN OF OAK CREEK

ORDINANCE NO. 621

AN ORDINANCE AMENDING AND MODIFYING TITLE 4 – LIQUOR AND BEER REGULATIONS OF THE OAK CREEK MUNICIPAL CODE-- AT SECTIONS 4.01.020 TO PERMIT TASTINGS AS SUCH IS DEFINED AT C.R.S. § 12-47-301 (10) AND SECTION 4.01.030 SCHEDULE OF FEES TO UPDATE TOWN FEES IN ACCORDANCE WITH COLORADO LIQUOR CODE AND COLORADO BEER CODE

WHEREAS, the provisions of C.R.S. § 12-47-301 (10) permits the Board of Trustees of the Town of Oak Creek (Board) to authorize tastings to be conducted by retail liquor store or liquor-licensed drugstore licensees in accordance with said subsection (10), as the term “tastings” is defined in said subsection (10); and

WHEREAS, the Board believes that it is in the best interest of the Town and its residents and businesses to authorize and permit tastings to be conducted by retail liquor store or liquor-licensed drugstore licensees in accordance with C.R.S. § 12-47-301 (10); and

WHEREAS, the Colorado Beer Code (C.R.S. § 12-46-101, et seq) and the Colorado Liquor Code (C.R.S. § 12-47-101, et seq) contain certain provisions regarding appropriate processes for Special Event Permits and local fees, and the current language at Section 4.01.020, Oak Creek Municipal Code and the current fee schedule at Section 4.01.030, Oak Creek Municipal Code, needs to be corrected, updated and modified to conform thereto; and

WHEREAS, a draft of this Ordinance amending Title 4 – Liquor and Beer Regulations as outlined herein was introduced and read at the regular meeting of the Board on April 11, 2013; and

WHEREAS, notice of the pending adoption of this Ordinance amending Title 4 – Liquor and Beer Regulations was published by title on April 21, 2013 in the Steamboat Pilot, a paper of general circulation in the Town; and

WHEREAS, the Oak Creek Board of Trustees considered this Ordinance amending Title 4 – Liquor and Beer Regulations at a public meeting held on May 9, 2013; and

WHEREAS, Trustee Wisecup made a motion to approve Ordinance No. 621 as written. Trustee - Voorhis seconded the motion. The motion passed unanimously.

NOW, THEREFORE, be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

SECTION 1. AMENDMENTS. Section 4 – Liquor and Beer Regulations is hereby amended as follows (additions are underlined, deletions are struck-through):

Section 4.01.020 – Town license to sell required.

- C. Nothing in this Code shall be deemed to require a person to obtain a separate Town license in order to sell or offer for sale any malt, vinous, spirituous liquor or fermented malt beverage pursuant to a special event permit, ~~issued by the state~~. The Town Board, however, having been delegated the necessary power and authority under C.R.S. § 12-48-107, shall review and approve all applications for special event permits before ~~submission notification~~ to the state for issuance, all in accordance with state law.
- E. Provisions of the Colorado Liquor Code (C.R.S. § 12-47-101 et seq.) and the Colorado Beer Code (C.R.S. § 12-46-101 et seq.) governing procedures for applications, hearing and decisions for state liquor or fermented malt beverages, including tastings (which are hereby authorized pursuant to C.R.S. § 12-47-301 (10)), shall apply for Town licenses.

4.01.030 - Schedule of fees.

The following schedule of Town fees is imposed in connection with Town licensing under the Colorado Liquor Code and Colorado Beer Code.

License Type	Fees
Initial Application:	\$500.00
Change of Ownership:	500.00
Concurrent Review	500.00
Transfer of Location	500.00
Late Renewal Application	500.00
Renewal Application	50.00
Corporate Report of Changes	100.00
Manager Registration (H&R License Only)	75.00
Temporary Permit	100.00
<u>Alcoholic Beverages Tasting Permit</u>	<u>100.00</u>
Arts	41.25
<u>Art Gallery</u>	<u>3.75</u>
Bed & Breakfast Permit:	25.00 3.75
Beer & Wine:	48.75
Brew Pub:	75.00
Club	41.25
Brew Pub License:	75.00
Concurrent Review:	500.00
Hotel & Restaurant:	75.00
Liquor Licensed Drugstore	22.50

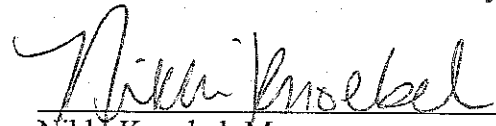
Liquor Licensed Drugstore	22.50
Mini Bar Permit	325.00
Modification of Premise:	50.00
Optional Premises License:	100.00 75.00
Racetrack	75.00
Retail Liquor Store	22.50
Tavern	75.00
3.2% Beer, On Premises	3.75
3.2% Beer, Off Premises	3.75

For


SECTION 2. SEVERABILITY, CONFLICTING ORDINANCES REPEALED. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this 9th day of May, 2013.



 Nikki Knoebel, Mayor



 Anne Page Allen
 Administrator/Clerk