David Torgler, Administrator/Clerk

COMMUNICATION FORM

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FROM: David Torgler, Town Administrator/Clerk
DATE: February 17, 2022
ITEM: Tastings Policy
ATTACHED: Tastings Permit Application Checklist, Alcohol Tastings Permit Application; Alcohol Tastings Schedule; and Alcohol Tastings Permit Information

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BOARD ACTION:
____ ACTION ITEM
_X__ DIRECTION REQUESTED
____ INFORMATION

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REQUEST OR ISSUE: Recent changes in the Colorado Liquor Code and Colorado Beer Code include changes to alcohol tasting events which are also regulated through the local licensing authorities, e.g. the Town Board, aka LLA's.

RECOMMENDED ACTION: That the Board provides direction regarding any local limits on the number of tastings per year per licensee, limits of days on which tastings may occur, or the number of hours each tasting may last so that an ordinance can be crafted, if necessary, allowing for tastings to be conducted within the Town limits.

BACKGROUND INFORMATION: The State legislature and voters have created updated alcohol tasting regulations and expanded where tasting events may be held. Beginning March 1, 2023 tasting events may take place at retail liquor stores, liquor-licensed drugstores and fermented malt beverage and wine retailers. Presently Chapter 4.01 of the Town Code permits tastings without limitation, so the Town regulations follow Colorado Liquor and Beer codes. The State regulations allow for tasting events to be held at the above described retailer locations up to 156 days annually and the days do not have to be consecutive. Annually is defined as the one-year licensing period for each qualifying licensee. Tasting events are limited to five hours per day, which do not need to be consecutive, but must be held between 11:00 a.m. and 9:00 p.m. Tastings can be held any day of the week and any holidays except Christmas Day. LLA's may create regulations that are more restrictive then the legislature has adopted by ordinance or resolution which may provide for stricter limits on the number of tastings per year per licensee, limits of days on which tastings may occur, or the number of hours each tasting may last. Working with Chief Maher we have put together the attached information that applies the State regulations without local limitations, provide applicants with information on how to apply for a local permit, and provides Town staff with information to administer the tasting regulations. If the Board does not want to limit the State regulations then Town staff is ready to proceed when retailers are ready to host tasting events.

FISCAL IMPACTS: Unknown

LEGAL ISSUES: Brings the Town into compliance with C.R.S. § 44-3-301(10).

CONFLICTS OR ISSUES: None known.

SUMMARY AND ALTERNATIVES: See above.