



WESTMINSTER COLORADO

City Clerk's Office
4800 West 92nd Avenue
Westminster, Colorado 80031-6387
303-658-2161 FAX 303-706-3924

RETAIL LIQUOR STORE AND LIQUOR LICENSED DRUG STORE TASTINGS PERMIT APPLICATION

**APPLICATION FEE OF \$50 REQUIRED WHEN TASTING PERMIT IS APPROVED
THIS PERMIT WILL RUN CONCURRENTLY WITH THE STATE LIQUOR LICENSE**

LICENSEE NAME: _____ LICENSE NO. _____

NAME OF RESPONSIBLE BUSINESS CONTACT: _____

LICENSEE ADDRESS: _____

LICENSEE EMAIL: _____ LICENSEE TELEPHONE NO. _____

LICENSEE IS REQUIRED TO PROVIDE THE CITY CLERK'S OFFICE WITH A SCHEDULE OF DATES AND TIMES THE TASTINGS WILL BE CONDUCTED. SUCH NOTICE SHALL BE SUBMITTED AT LEAST 72 HOURS PRIOR TO TASTINGS.

5-14-15 (C) VIOLATION. IT SHALL BE UNLAWFUL FOR ANY PERSON TO CONDUCT A TASTING WITHOUT A TASTING PERMIT ISSUED BY THE CITY OR TO CONDUCT SUCH TASTING IN ANY MANNER NOT IN COMPLIANCE WITH THE RULES AND REGULATIONS IN **SECTION 44-3-301, C.R.S.** OR THIS SECTION. FAILURE TO COMPLY WITH SAID SECTIONS SHALL BE CONSIDERED A VIOLATION OF THE COLORADO BEER AND LIQUOR CODES AND MAY BE SANCTIONED AS ANY OTHER VIOLATION OF THE CODES.

CERTIFICATION OF APPLICANT: I understand that it is my responsibility that all current and future employees complete a server training program that meets the standards established by the State Liquor Enforcement Division. I understand that it is my responsibility and the responsibility of my employees to comply with all applicable laws, including all applicable provisions of the Westminster Municipal Code and the Colorado Liquor or Beer Code and Regulations, which affect my license.

LICENSEE AUTHORIZED SIGNATURE: _____ DATE _____

APPROVED BY CITY CLERK: _____ DATE: _____

STATE LAW

- Tastings shall be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement division
- Person conducting tastings may be an employee of a retail liquor store or liquor-licensed drugstore licensee, or a representative, employee, or agent of the licensed wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer, or vintner's restaurant promoting the alcohol beverages for the tasting
- Tastings must take place on the licensee's licensed premises
- Alcohol used in tastings shall be purchased through a licensed wholesaler, licensed brew pub, or winery, at a cost that is not less than the laid in cost of such alcohol
- Alcohol samples must not exceed one half of one ounce, Malt or vinous liquor samples must not exceed one ounce
- Tastings must be conducted between the hours of 11 a.m. and 9 p.m.
- Tastings shall not exceed a total of 5 hours per day which need not be consecutive
- Licensee shall prohibit patrons from leaving the premises with unconsumed sample
- Licensee shall promptly remove all open and unconsumed alcohol from the licensed premises or destroy samples immediately following completion of tastings
- Licensee shall not serve a person under 21 years of age or intoxicated persons
- Licensee shall not serve more than 4 samples to a patron during a tasting
- Alcohol samples shall be in open containers and shall be provided free to patrons
- Tastings may not exceed 156 days per calendar year

COLORADO LIQUOR CODE
ARTICLE 3, TITLE 44, C.R.S.
Revised OCTOBER 1, 2018

44-3-103. Definitions. As used in this article 3 and article 4 of this title 44, unless the context otherwise requires:

(56) "TASTINGS" MEANS THE SAMPLING OF MALT, VINOUS, OR SPIRITOUS LIQUORS THAT MAY OCCUR ON THE PREMISES OF A RETAIL LIQUOR STORE LICENSEE OR LIQUOR-LICENSED DRUGSTORE LICENSEE BY ADULT PATRONS OF THE LICENSEE PURSUANT TO THE PROVISIONS OF SECTION 44-3-301 (10).

44-3-301. Licensing in general.

(10) (a) The provisions of this subsection (10) shall only apply within a county, city and county, or municipality if the governing body of the county, city and county, or municipality adopts an ordinance or resolution authorizing tastings pursuant to this subsection (10). The ordinance or resolution may provide for stricter limits than this subsection (10) on the number of tastings per year per licensee, the days on which tastings may occur, or the number of hours each tasting may last.

(b) A retail liquor store or liquor-licensed drugstore licensee who wishes to conduct tastings may submit an application or application renewal to the local licensing authority. The local licensing authority may reject the application if the applicant fails to establish that he or she is able to conduct tastings without violating the provisions of this section or creating a public safety risk to the neighborhood. A local licensing authority may establish its own application procedure and may charge a reasonable application fee.

(c) Tastings are subject to the following limitations:

(I) Tastings shall be conducted only:

(A) By a person who: Has completed a server training program that meets the standards established by the liquor enforcement division in the department and is a retail liquor store or liquor-licensed drugstore licensee, an employee of a retail liquor store or liquor-licensed drugstore licensee, or a representative, employee, or agent of the licensed wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer, or vintner's restaurant promoting the alcohol beverages for the tasting; and

(B) On a licensee's licensed premises.

(II) The alcohol beverage used in tastings must be purchased through a licensed wholesaler, licensed brew pub, licensed distillery pub, or winery licensed pursuant to section 44-3-403 at a cost that is not less than the laid-in cost of the alcohol beverage.

(III) The size of an individual alcohol sample shall not exceed one ounce of malt or vinous liquor or one-half of one ounce of spirituous liquor.

(IV) Tastings shall not exceed a total of five hours in duration per day, which need not be consecutive.

(V) The licensee may conduct tastings only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11 a.m. or later than 9 p.m.

(VI) The licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.

(VII) The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, destroy the samples immediately following the completion of the tasting, or store any open containers of unconsumed alcohol beverages in a secure area outside the sales area of the licensed premises for use at a tasting conducted at a later time or date.

(VIII) The licensee shall not serve a person who is under twenty-one years of age or who is visibly intoxicated.

(IX) The licensee shall not serve more than four individual samples to a patron during a tasting.

(X) Alcohol samples shall be in open containers and shall be provided to a patron free of charge.

(XI) The licensee may conduct tastings on no more than one hundred fifty-six days per year.

(XII) No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The retail liquor store or liquor-licensed drugstore licensee bears the financial and all other responsibility for a tasting conducted on its licensed premises.

(d) A violation of a limitation specified in this subsection (10) by a retail liquor store or liquor-licensed drugstore licensee, whether by the licensee's employees, agents, or otherwise or by a representative, employee, or agent of the licensed wholesaler, brew pub, distillery pub, manufacturer, limited winery, importer, or vintner's restaurant that promoted the alcohol beverages for the tasting, is the responsibility of, and section 44-3-801 applies to, the retail liquor store or liquor-licensed drugstore licensee that conducted the tasting.

(e) A retail liquor store or liquor-licensed drugstore licensee conducting a tasting shall be subject to the same revocation, suspension, and enforcement provisions as otherwise apply to the licensee.

(f) Nothing in this subsection (10) shall affect the ability of a Colorado winery licensed pursuant to section 44-3-402 or 44-3-403 to conduct a tasting pursuant to the authority of section 44-3-402 (2) or 44-3-403 (2)(e).