

## **ORDINANCE 492**

### **AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF BAYFIELD AMENDING BAYFIELD MUNICIPAL CODE, CHAPTER 5, ARTICLE VI, ALCOHOLIC BEVERAGES**

**WHEREAS**, the Board of Trustees have determined that the Bayfield Municipal Code (“Code”), Chapter 5, Article VI, Alcoholic Beverages section is outdated and in need of amendment; and

**WHEREAS**, the Colorado Beer Code, C.R.S. 44-4-101, et seq., the Colorado Liquor Code, C.R.S. 44-3-101, et seq., and Special Event Permits, C.R.S. 44-5-101, et seq., provide detailed descriptions and requirements regarding alcoholic beverages; and

**WHEREAS**, the Colorado Department of Revenue Liquor Enforcement Division provides a fee schedule that is updated regularly; and

**WHEREAS**, the Board of Trustees have determined that amending the Code, Article VI Alcoholic Beverages is necessary.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BAYFIELD, COLORADO,**

**That the Bayfield Municipal Code, Chapter 5, Article VI, Alcoholic Beverages is hereby amended to read as follows:**

#### **Sec. 5-71. Definitions.**

All terms shall be defined as set forth in the provisions of the Colorado Beer Code, C.R.S. 44-4-101, et seq., the Colorado Liquor Code, C.R.S. 44-3-101, et seq., and Special Event Permits, C.R.S. 44-5-101, et seq., as they presently exist or may hereafter be amended.

#### **Sec. 5-72. Power and purpose.**

- (1) The board of trustees finds and determines that it is hereby designated the local licensing authority for the Town of Bayfield. Further, the board finds and determines that, pursuant to C.R.S. 44-3-505 and 44-4-107(2), it may fix and collect certain fees in connection with the application for issuance, transfer and/or renewal of certain types of beer, wine and liquor licenses.
- (2) The purpose of this article is for the protection of the Town of Bayfield’s economic, social welfare, health, peace and morals in reviewing each application for issuance, transfer and/or renewal of certain types of beer, wine and liquor licenses.

#### **Sec. 5-73. Town clerk—Licensing duties.**

- (1) The town clerk shall receive all applications for licenses and shall issue all licenses granted by the local licensing authority upon payment of fees required and approval of the appropriate licensing authority.
- (2) Provided the application is in compliance with the provisions of C.R.S. 44-3-301, the submission of a complete application and fees shall be a minimum of sixty (60) days in advance of the date of an event, license expiration or intended liquor service.

- (3) The town clerk shall refer all applications to the police department and other appropriate departments for review within ten (10) days of receipt.
- (4) The town clerk shall forward the application and all department comments to the board of trustees acting as the local licensing authority for a hearing and cause notice of the public hearing to be provided as required by statute.
- (5) The applicant is required to appear at the public hearing.

**Sec. 5-74. Licensing fees.**

Licensing fees shall be paid to the town clerk:

- a. Pursuant to the current Liquor Enforcement Division Fee Schedule published by the Colorado Department of Revenue Liquor Enforcement Division, or
- b. Pursuant to Bayfield Resolution regarding any fee that is not specifically identified by an amount listed within the current Liquor Enforcement Division Fee Schedule published by the Colorado Department of Revenue Liquor Enforcement Division.

**Sec. 5-75. Reserved**

**Sec. 5-76. Optional premises.**

- (1) Optional premises license and optional premises for a hotel and restaurant license may be issued by the authority.
- (2) The following standards shall be applicable to the issuance of a license under this section, in addition to all other applicable standards set forth in the Colorado Liquor Code for optional premises license and optional premises for a hotel and restaurant license.
  - a. *Eligible facilities.* Outdoor sports and recreational facilities as defined in C.R.S. 44-3-103(33), are eligible for licensing as an optional premises or an optional premises for a hotel and restaurant.
  - b. *Number of optional premises.* There are no restrictions on the number of optional premises which any one licensee may have on an outdoor sports or recreational facility.
  - c. *Minimum size of facility.* There is no restriction on the minimum size of an outdoor sports or recreational facility which would be eligible for issuance of an optional premises license or optional premises for a hotel and restaurant license.
- (3) The application for an optional premises license or optional premises for a hotel or restaurant license shall be accompanied by the following:
  - a. A map or other drawing illustrating the outdoor sports or recreational facility boundaries and the approximate location of each optional premises requested;
  - b. A description of the method which shall be used to identify the boundaries of the optional premises when it is in use; and

- c. A description of the provisions which have been made for storing malt, vinous and spirituous liquors in a secured area on or off the optional premises for the future use on the optional premises.

**Sec. 5-77. Educational requirements.**

Every hotel and restaurant licensee, registered manager and licensee's employee is encouraged to obtain a certificate of completion from an educational program of training for intervention procedures for servers of alcohol. Those registered managers obtaining a certificate of completion may file a copy of the certificate of completion with the authority with an application of renewal of a liquor license.

**Sec. 5-78. Reserved**

**Sec. 5-79. Reserved**

This Ordinance shall become effective thirty (30) days after publication.


**ADOPTED AND TITLE ORDERED PUBLISHED THIS 20<sup>TH</sup> DAY OF JUNE 2023.**

**Mayor:**

  
\_\_\_\_\_

Ashleigh Tarkington

*Attest:*

  
\_\_\_\_\_

Kathy Cathcart, Town Clerk