Local Licensing Authority

Agenda

July 27, 2020
7:00 PM
Electronic Meeting

This meeting will be held electronically. Residents interested in listening to the meeting or making public comments can join in one of two ways:

1) You can call in to +1 346 248 7799 or 833 548 0282 (toll free) Webinar ID # 830 7394 7771.

2) You can log in via your computer. Please visit the City’s website here to link to the meeting: www.louisvilleco.gov/government/boards-commissions/local-licensing-authority

The Authority will accommodate public comments during the meeting. Anyone may also email comments to the board prior to the meeting at CReason@LouisvilleCO.gov.

I. Call to Order
II. Roll Call
III. Approval of Agenda
IV. Public Comments on Items Not on the Agenda
V. Action on Minutes – 06/22/2020 PG 3
VI. Consent Agenda

The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the Consent Agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under “Authority Business”. In such an event the item shall be removed from the “Consent Agenda” and Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading “Consent Agenda” will appear in the Authority minutes in their proper order.

A. Renewal Application – Centennial Wine & Spirits – Retail Liquor Store Liquor License – 324 South McCaslin Blvd PG 6
B. Renewal Application – Via Toscana – Hotel & Restaurant Liquor License – 356 McCaslin Blvd PG 7
D. Renewal Application – Little Lemon – Retail Marijuana – 1655 Courtesy Rd  PG 9
E. Renewal Application – Mucrocks’ Tap and Tavern – Hotel & Restaurant Liquor License – 585 East South Boulder Rd  PG 10
F. Renewal Application – Courtyard by Marriott – Hotel & Restaurant Liquor License – 948 West Dillon Road  PG 11
G. Renewal Application – Residence Inn Boulder – Hotel & Restaurant Liquor License – 845 Coal Creek Circle  PG 12

VII. Authority Business
A. Stipulation – Union Jack Liquor Inc. d/b/a Union Jack Liquor – Retail Liquor Store Liquor License – 1160 South Boulder Road – 03/26/2020 Incident  PG 14

VIII. Police Department Report

IX. Secretary’s Report
A. Temporary Modification of Premises Permits Issued (no materials)
   1. Bittersweet
   2. Picas
   3. Sushi Yoshi (updated)

X. Authority Attorney’s Report

XI. Authority Comments

XII. Discussion Items for Next Meeting – August 24, 2020 @ 7:00 p.m.

XIII. Adjournment
Local Licensing Authority
Meeting Minutes
June 22, 2020
7:00 PM
Electronic Meeting

I. Call to Order

Chairperson Carlson called the meeting to order at 7:00 p.m.

II. Roll Call was taken and the following members were present:

Members Present: John Carlson
Elizabeth Kaufman
Marguerite Lipton
Nancy Newell

Absent: Matthew Machado

Staff Members Present: Melinda Culley – Kelly P.C.
Ben Redard, Police Sergeant
Chrissy Reason, Deputy City Clerk

III. Approval of Agenda

Chairperson Carlson called for changes to the agenda. Kaufman made a motion to approve the agenda. Lipton seconded. All in favor.

IV. Public Comments on Items Not on the Agenda

None.

V. Approval of Meeting Minutes

Carlson called for any changes to the minutes. Seeing none, Lipton moved to approve the minutes. Kaufman seconded. All in favor.

VI. Approval of Consent Agenda
The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the consent agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under “Authority Business”. In such an event the item shall be removed from the “Consent Agenda” and the Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading “Consent Agenda” will appear in the Authority minutes in their proper order.

A. Renewal Application – Corner Market – Fermented Malt Beverage Liquor License – 1135 E South Boulder Rd
B. Renewal Application – Cinnebarre – Hotel and Restaurant Liquor License – 1164 W Dillon Road
C. Renewal Application – Qdoba– Hotel and Restaurant Liquor License – 459 S McCaslin Blvd Suite 1
D. Renewal Application – Miles Sports – Hotel and Restaurant Liquor License – 328 S McCaslin Blvd
E. Renewal Application – Henrys – Tavern Liquor License – 935 Pine St
F. Report of Changes – King Soopers #13 – Fermented Malt Beverage Liquor License – 1375 E South Boulder Rd

Carlson called for any changes to the consent agenda. Seeing none, Kaufman moved the consent agenda be approved. Newell seconded. All in favor.

VII. Authority Business

A. Change in Ownership Structure – SBUD LLC, d/b/a Starbuds Louisville – Retail Marijuana Store License – 1156 W. Dillon Road Unit 3

There was discussion regarding the specifics of the change in ownership structure.

Lipton moved the change in ownership structure be approved. Kaufman seconded. All in favor.

VIII. Police Department Reports

Sergeant Redard did not have a report, but asked the authority if they wanted public health reports. The authority decided an informal report during the meetings would suffice.

Authority members asked for an update on the break in at Ajoya. Redard had no new information.
IX. Secretary’s Report

A. Discussion of show cause hearing on 07/27/2020
There was discussion on having an in person meeting and which location would be large enough to handle social distancing.

B. Temporary Modification of Premises Permits Issued

1. 12 Degree Brewing
2. 740 Front
3. Bob’s Sandwich Shop
4. Empire
5. Huckleberry
6. LuLu’s BBQ
7. Moxie
8. Murphy’s Tap House
9. Por Wine House
10. Tri City Elks
11. Verde
12. Waterloo
13. Zucca

The secretary reviewed the temporary modification of premises permits that have been issued allowing outdoor restaurant expansions to allow for more seating because of COVID. Sergeant Redard noted that there are extra patrols going on in the areas that have modified premises.

X. Authority Attorney’s Report

The State has authorized to go liquor for the next year.

XI. Authority Comment

Carlson encouraged others to try the outdoor dining downtown.

XII. Discussion Items for Next Meeting

None.

XIII. Adjourn

Kaufman moved to adjourn. Lipton seconded. All in favor. The meeting adjourned at 7:16 pm.
SUBJECT: RENEWAL APPLICATION – CENTENNIAL WINE & SPIRITS – RETAIL LIQUOR STORE LIQUOR LICENSE – 324 SOUTH MCCASLIN BLVD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Centennial Wine & Spirits LLC, has submitted an application for renewal of its Retail Liquor Store Liquor License at 324 South McCaslin Blvd.

The lease for the premises is current and on file.

There were no employees who attended liquor training in the past year.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Approve the renewal application for Retail Liquor Store Liquor License for, Centennial Wine & Spirits LLC, 324 South McCaslin Blvd.

Alternatively, the Authority may set a hearing on this renewal application. The hearing may be held after proper notice is completed.
SUBJECT: RENEWAL APPLICATION – VIA TOSCANA – HOTEL & RESTAURANT LIQUOR LICENSE – 356 MCCASLIN BLVD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Via Toscana, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 356 McCaslin Blvd.

The lease for the premises is current and on file.

There were no employees who attended liquor training in the past year.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Approve the renewal application for Hotel & Restaurant Liquor License for, Via Toscana, 356 McCaslin Blvd.

Alternatively, the Authority may set a hearing on this renewal application. The hearing may be held after proper notice is completed.
SUBJECT: REPORT OF CHANGES – CERCA TROVA SOUTHWEST RESTAURANT GROUP, LLC DBA OUTBACK STEAKHOUSE – HOTEL & RESTAURANT LIQUOR LICENSE – 988 WEST DILLON ROAD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Cerca Trova Southwest Restaurant Group, LLC DBA Outback Steakhouse, has submitted an application of reports of changes for a change of officer for its Hotel & Restaurant Liquor License at 988 West Dillon Road.

RECOMMENDATION:

Approve the report of changes application for Hotel & Restaurant Liquor License for, Cerca Trova Southwest Restaurant Group, LLC DBA Outback Steakhouse, 988 West Dillon Road.
SUBJECT: RENEWAL APPLICATION – LITTLE LEMON LLC – RETAIL MARIJUANA LICENSE – 1655 COURTESY ROAD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

Little Lemon Louisville, a currently licensed Retail Marijuana Store, has applied to renew the retail marijuana license. This renewal aligns the license with the renewal date of the State license.

The applicant has also applied to the State for renewal of its retail license.

The lease is current.

City sales and use tax is current.

The retail store is not yet open as the owners work to rezone the property for the new store. This license is contingent upon the owner getting a Certificate of Occupancy from the City.

RECOMMENDATION:

Authority approve the renewal of the Retail Marijuana Store conditioned upon approval at the State level as well.

Alternatively, the Authority may set a hearing on the renewal application. That hearing could be held after proper notice is completed.
SUBJECT: RENEWAL APPLICATION – MUDROCK’S TAP AND TAVERN – HOTEL & RESTAURANT LIQUOR LICENSE – 585 EAST SOUTH BOULDER ST

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Mudrock’s Tap and Tavern, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 585 East South Boulder St.

The lease for the premises is current and on file.

There were no employees who attended liquor training in the past year.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Approve the renewal application for Hotel & Restaurant Liquor License for, Mudrock’s Tap and Tavern, 585 East South Boulder St.

Alternatively, the Authority may set a hearing on this renewal application. The hearing may be held after proper notice is completed.
SUBJECT: RENEWAL APPLICATION – IH WL ACQUISITION MANAGER LLC, DBA COURTYARD BY MARRIOTT LOUISVILLE – HOTEL & RESTAURANT LIQUOR LICENSE – 948 WEST DILLON ROAD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Courtyard by Marriott Louisville, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 948 West Dillon Road.

The lease for the premises is current and on file.

There were no employees who attended liquor training in the past year.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Approve the renewal application for Hotel & Restaurant Liquor License for, Courtyard by Marriott Louisville, 948 West Dillon Road.

Alternatively, the Authority may set a hearing on this renewal application. The hearing may be held after proper notice is completed.
SUBJECT: RENEWAL APPLICATION – IH WL ACQUISITION MANAGER LLC, DBA RESIDENCE INN BOULDER LOUISVILLE – HOTEL & RESTAURANT LIQUOR LICENSE – 845 COAL CREEK CIRCLE

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Residence Inn Boulder Louisville, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 845 Coal Creek Circle.

The lease for the premises is current and on file.

There were no employees who attended liquor training in the past year.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Approve the renewal application for Hotel & Restaurant Liquor License for, Residence Inn Boulder Louisville, 845 Coal Creek Circle.

Alternatively, the Authority may set a hearing on this renewal application. The hearing may be held after proper notice is completed.
SUBJECT: REPORT OF CHANGES – BEST CHEF RESTAURANT, LLC DBA PARMA TRATTORIA MOZZARELLA BAR – HOTEL & RESTAURANT LIQUOR LICENSE – 1132-1 WEST DILLON ROAD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Best Chef Restaurant, LLC DBA Parma Trattoria Mozzarella Bar, has submitted an application of reports of changes for a change of officer for its Hotel & Restaurant Liquor License at 1132-1 West Dillon Road.

RECOMMENDATION:

Approve the report of changes application for Hotel & Restaurant Liquor License for, Best Chef Restaurant, LLC DBA Parma Trattoria Mozzarella Bar, 988 West Dillon Road.
SUBJECT: STIPULATION – UNION JACK LIQUOR, INC. DBA UNION JACK LIQUOR – RETAIL LIQUOR STORE LIQUOR LICENSE – 1160 SOUTH BOULDER ROAD

DATE: JULY 27, 2020

PRESENTED BY: CHRISSY REASON, AUTHORITY SECRETARY

SUMMARY:

Stipulation, Union Jack Liquor, INC. DBA Union Jack Liquor – Retail Liquor Store Liquor License – 03/26/2020 Incident

Previous Violations:
- 12/19/2015
- 03/13/2018
- 05/15/2018

RECOMMENDATION:

The Authority can approve a stipulation that was reached between the Authority Attorney and the licensee.
Chairperson: Call the Show Cause Hearing to Order:

"For the record, I am John Carlson, Chairperson of the City of Louisville Local Licensing Authority. This is the hearing to show cause why the liquor license held by Tilt, should not be suspended or revoked for alleged violations of one or more provisions of the Colorado Liquor Code and Liquor Code Regulations and the Louisville Municipal Code."

"The purpose of this hearing is to receive evidence to enable the Authority to make findings and reach a conclusion as to whether there is sufficient evidence proving the Licensee violated one or more of the laws and regulations specified in the Show Cause Order, and if so, whether revocation or suspension of the Licensee's license is appropriate."

"The order of the hearing will be as follows:

a. Opening Statements by the City and the Licensee.
b. Presentation of evidence by the City, followed by cross examination by the Licensee.
c. Presentation of evidence by the Licensee, followed by cross examination by the City.
d. Rebuttal Evidence by the City and Licensee, if any.
e. Closing statements by the City and the Licensee."

"This hearing is being recorded. Anyone wishing to address the Authority must speak clearly and identify himself or herself by name and address. All testimony will be given under oath. Exhibits will be first marked by the Secretary and then identified before offering them for admission. A record will be kept of exhibits admitted and rejected."
"Would the attorneys for the City and Licensee please identify themselves and state whether they are ready to proceed."

"Does either party have any preliminary matters to be taken care of at this time?" (If so, proceed with the preliminary matter; if not move on to the opening statements.)

(If the Authority desires to accept any proposed settlement, it should adopt a motion as follows: "I move that the Authority Attorney be directed to prepare a Stipulation and Agreement and Order which incorporate the terms agreed upon by the City and Licensee, for consideration at the next regular meeting of the Authority, and that this matter be continued until such meeting.")

**Make Record:**

"At this time I will make a part of the record of the hearing:

X  Show Cause Order and Notice of Hearing.

**Opening Statements:**

"Does the City's Attorney have an opening statement?"

"Does the Licensee's Attorney have an opening statement?"

**Presentation of Evidence by City:**

(Have each witness sworn in prior to testifying)

(City's direct examination of City's witness)
(Licensee's cross examination of City's witness)

**Presentation of Evidence by Licensee:**

(Have each witness sworn in prior to testifying)

(Licensee's direct examination of Licensee's witness)

(City's cross examination of Licensee's witness)

**Rebuttal Evidence:**

"Does the City have any rebuttal evidence?"

"Does the Licensee have any rebuttal evidence?"

**Closing Statements:**

"Does the City have a closing statement?"

"Does the Licensee have a closing statement?"

"Are there any further matters to be considered? Hearing none, I will now close the hearing."

**Deliberations:**

“Now that the hearing is closed, the Authority will deliberate on the evidence presented. If Authority members have questions, they will direct their question to the City’s Attorney or the Licensee’s Attorney, and the other side will be given a chance to respond once the question has been answered.”
Action [After Completion of Deliberations]:

The Authority may adopt one of the following motions:

(1) "I move the Authority find that insufficient evidence has been presented to support the charges stated in the Show Cause Order and that the charges be dismissed." or

(2) “I move sufficient evidence has been presented to support the following charges stated in the Show Cause Order:

A. C.R.S. § 44-3-901(1)(a), stating in pertinent part that it is unlawful for any person to sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of any alcoholic beverage to a visibly intoxicated person or to a known habitual drunkard.

B. Colorado Code of Regulations, Regulations Relating to Alcohol Beverages § 47-900.A, stating that the licensee as well as any employee or agent of licensee shall conduct the licensed premises in a decent, orderly and respectable manner, and shall not serve any person who displays any visible signs of intoxication, nor shall they permit any person who displays any visible signs of intoxication to remain on the licensed premises without an acceptable purpose…

C. Louisville Municipal Code § 9.22.060, stating in pertinent part that no person shall sell, serve, give away, dispose of, exchange or deliver, or permit the sale, serving, giving away or procuring of, any alcohol beverages to a visibly intoxicated person or a known habitual drunkard.

and that the Authority Attorney be directed to prepare a draft of final findings, conclusions and an order for consideration at the Authority's next meeting to be held on October 28, 2019 and I further move to continue this matter until that time."

[If Motion #2 is adopted, instruct the Licensee that matters regarding mitigation and/or aggravation and imposition of penalty will be considered at the next Authority meeting.]

Miscellaneous Matters:
(1) **Oath to be administered by Secretary to each person testifying:**

(require person to raise his or her right hand)

"Do you solemnly swear or affirm under penalty of perjury that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth."

(2) **Procedure for admitting exhibits** (after a request has been made for the admission of an exhibit, the exhibit should be marked -- lettered or numbered consecutively -- for identification; then the Chairperson should state as follows:

"The exhibit has been marked for identification as Exhibit ____________. Does any person have any objection to the admission of Exhibit ________? Hearing no objection, Exhibit ________ is admitted."
PETITION FOR FINE IN LIEU OF SUSPENSION

IN THE MATTER OF:

UNION JACK LIQUOR INC., Licensee
d/b/a UnionJack Liquor
1160 S. Boulder Road
Louisville, CO 80027

License No. 10-52497-0000

COMES NOW UNION JACK LIQUOR INC., Licensee by its owner, Douglas Harper, for its Petition for Fine in Lieu of Suspension, states as follows:

1. On July 27, 2020, Licensee's liquor license was suspended for two days.

2. As allowed by ordinance, a fine in lieu of suspension may be imposed if:
   - The public welfare and morals would not be impaired;
   - The books and records of licensee are kept so that the loss of licensee's sales can be determined with reasonable accuracy; and
   - the licensee has not had its license suspended or revoked for the two years immediately preceding the date of the complaint.

3. As Licensee advised the Authority, all three conditions are met herein.

4. Tendered herewith and incorporated by this reference, and as requested by the Authority, is a summary of Licensee's daily sales receipts for June 1, 2020 through June 30, 2020 the final. Gross alcohol sales for the period were $229,326.49.

5. The fine, according to the formula set forth by Ordinance, will be $3057.69 Also tendered herewith is Licensee's check for the fine.

WHEREFORE, Licensee petitions for said fine in lieu of suspension.

Dated this 27 day of July, 2020
Respectfully submitted,

Douglas Harper  
1160 S. Boulder Rd  
Louisville, CO 80027  
303-666-7616

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing PETITION FOR FINE IN LIEU OF SUSPENSION and a proposed ORDER were e-mailed on the July 23, 2020.

Chrissy Reason  
City of Louisville, State of Colorado

and e-mailed the same day to:

Adam M. Gollin  
2503 Dahlia St.  
Denver, CO 80207
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**ALL SALES TAX DUE BY THE 20th OF EACH MONTH**

*Total Alcohol Sales June*
BEFORE THE LOCAL LICENSING AUTHORITY, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

STIPULATION

IN THE MATTER OF:

UNION JACK LIQUOR, INC., LICENSEE
d/b/a UNION JACK LIQUOR
1160 SOUTH BOULDER RD.
LOUISVILLE, CO 80027

License No. 10-52497-0000

THIS STIPULATION, by and between the City of Louisville, Colorado ("City"), represented by Adam M. Gollin, acting as Special Prosecutor, and Union Jack Liquor inc. d/b/a Union Jack Liquor, ("Licensee"), is offered for the purpose of stipulating to a disposition of alleged violations of the Louisville Municipal Code, Colorado Liquor Code and Regulations described in the Order to Show Cause and Notice of Hearing issued by the Louisville Licensing Authority, dated May 26, 2020.

1. The Licensee will admit to the violations of C.R.S. ("Colorado Revised Statute") 44-3-901(1)(a), C.R.S.44-3-901(6)(a)(I), and Louisville Municipal Code Section 9.22.060 relating to selling, serving or giving away alcohol to a visibly intoxicated person or to a known habitual drunkard, occurring on March 26, 2020.

2. The licensee will admit to a violation of Colorado Code of Regulations, Relating to Alcohol Beverages Section 47-900.A, stating in pertinent part that the licensee as well as any employee or agent of licensee “shall not serve...any person who displays any visible signs of intoxication, nor shall they permit...any person who displays any visible signs of intoxication or a known habitual drunkard or any person who displays any visible signs of intoxication to remain on the premises without an acceptable purpose…”

3. The Retail Liquor License shall be suspended for a period of Five (5) days. Three (3) days of the suspension will be held in abeyance on the following conditions:

   a. The Licensee shall have no violations of the Colorado Liquor Code, the Regulations of the Liquor Rules (Colorado Code of Regulations, 1 C.C.R.203-2), or the Louisville Municipal Code provisions related to
the sale and service of alcohol, for a period of **one year** from the date this Stipulation is accepted by the Louisville Licensing Authority.

b. All current employees shall complete alcohol service training within **sixty (60) days/or as soon as available** of the Louisville Liquor Authority’s approval of the terms of this Stipulation. Proof of such employee training shall be provided to the Authority Secretary. This training requirement relates to employees involved in the sale and/or service of alcohol beverages, including all management staff.

4. Pursuant to §5.08.140, Louisville Municipal Code, Licensee may elect to petition the Licensing Authority for permission to pay a fine in lieu of serving the **Two (2) day** suspension.

As the parties to this agreement have a good faith belief that the Licensee qualifies for a fine-in-lieu of suspension, the parties agree that when the Licensee completes all of the procedural requirements listed in this Stipulation, the Louisville Licensing Authority’s approval is material to this Stipulation. In the event the Louisville Licensing Authority fails to grant, or refuses, or denies the petition, this Stipulation is null and void.

5. The Licensee shall post two (2) notices in conspicuous places, one on the exterior and one on the interior of the premises for the duration of the suspension, consistent with Colorado Department of Revenue, Liquor Enforcement Division Regulation 47-600(F).

Dated this 27th day of July, 2020.

**Adam M. Gollin, Attorney at law**

---

Adam M. Gollin, #16001  
Special Prosecutor  
2503 Dahlia St  
Denver, CO 80207  
303-475-3266

By:  

**Authorized Agent for Licensee**  
**Union Jack Liquor, Inc.**
To Whom it may Concern,

I would like to petition the City of Louisville Liquor Authority to pay a fine in lieu of serving a two-day suspension.

Looking at the facts of this case, not only did we self-report and call the police, we gave the authorities all video of the event. The person who was intoxicated only started to behave strangely after having walked outside the store and chug a 200ml of liquor and then follow it with a beer. When the clerk saw his behavior, he called the police. Obviously that behavior is not normal, and he had been drinking before.

The manager on duty that day has been terminated and the new manager has already taken an on-line liquor training course as conditions for employment. As soon as the City offers a training course, all employees will attend.

It has been a difficult 5 months for everyone, especially retail. After the initial surge in business, we have seen a drop-off of sales. Closing for 2 days would severely hurt our employees and customer base.

Thank you for your time,  

Douglas Harper  Unionjack Liquor
RULES OF PROCEDURE
CITY OF LOUISVILLE
LOCAL LICENSING AUTHORITY
(Revised Effective August 28, 2017)

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CITY OF LOUISVILLE
LOCAL LICENSING AUTHORITY

RULE 1

APPLICABILITY OF RULES. In addition to any other rules, laws, ordinances or regulations which may be applicable, these rules shall govern all proceedings before the Local Licensing Authority of the City of Louisville.

RULE 2

EFFECTIVE DATE. The effective date of these rules shall be July 29, 1996.

RULE 3

APPLICATIONS AND REQUESTS TO THE AUTHORITY.

Regarding All Liquor and 3.2% Beer Applications in the City of Louisville

1. Read all materials contained in this packet before requesting further information or forms.

2. Refer to the Required Document Checklist and prepare all required forms/documents.

3. Application must be submitted in accordance with the following criteria:
   a. All forms and other documents must be submitted in duplicate, i.e.: in two parts. Part One should contain all originals of forms and other documents; Part Two should contain photocopies (with SINGLE SIDED COPIES) of each item in Part One.
b. All documentation is to be submitted on 8-½" x 11" paper.

c. Remove all staples from documents in Part Two.

d. All information must be typewritten or legibly printed in black ink.

e. Arrange all documents in order listed on the Required Documents Checklist.

f. **Check all forms and verify that all applicable questions have been answered** as required or with N/A.

4. When an application is complete, the applicant must schedule an appointment with the Authority Secretary to review the application. The applicant or a representative must be present for this one-half hour review session. To schedule this appointment, call 666-6565, ext. 141. The statutes provide that upon "receipt of an application" for a new license, the local authority must schedule a public hearing upon the application not less than 30 days from the date of the application. The Authority must receive a complete application before scheduling the public hearing. Late applications will be scheduled for the next subsequent scheduled hearing.

5. At the time applications, except for renewal or transfer of ownership, are submitted to the Secretary to the Authority, dates will be set for you regarding the "Preliminary Findings & Report", posting requirements, neighborhood petition surveys or showing that the reasonable requirements of the neighborhood establish a need for issuance of the particular license, the Outline of Hearing Procedures, and the hearing agenda. The Authority Secretary is hereby authorized to conduct investigations and issue preliminary findings on behalf of the Authority. The Local Licensing Authority shall, at least five
days prior to the date of the public hearing, make its preliminary findings known, in
writing, to the applicant and other interested parties. The report gives you the status of
the application and confirms the date and time of the hearing before the Authority.

6. Submit **all** fees with the application. Checks should be made payable to: CITY OF
   LOUISVILLE and COLORADO DEPARTMENT OF REVENUE. Returned checks will
   be assessed an additional collection fee, and the hearing date may also be postponed.

7. The applicant or the applicant’s representative must be present at the hearing to formally
   submit the application to the Authority. Failure to appear, or to request a continuance,
   may result in delay or denial of the application.

8. Should your application be approved, allow 3 to 5 weeks for processing and issuance.
   Both the City of Louisville **and** State of Colorado licenses will be issued from the Office
   of the Secretary to the Authority.

**The following is an outline of the order of events/procedures for liquor and 3.2% beer
licensing:**

A. Complete and compile all required documentation (incomplete application forms will not
   be accepted).

B. Schedule appointment with Secretary to the Authority in accordance with Schedule of
   Hearings and Application Deadlines.

C. Submit both copies of completed application to the Secretary to the Authority at the one-
   half hour review session and set hearing date.
D. On the date set by the Secretary to the Authority, the applicant for a new license or change of location of an existing license must pick up a poster from the Secretary to the Authority's office and post same on the subject property in a conspicuous location on site (this must be posted on the site for a minimum of 10 days prior to hearing date).

E. Any summary of survey results for an application on which a "Needs and Desires Petition Survey" is prepared must be submitted to the Secretary to the Authority's office no later than 5 days prior to the hearing. A survey is not mandatory.

F. On the Friday prior to the hearing, the applicant may pick up the Outline of Hearing Procedures, Hearing Agenda, and the Preliminary Finding and Report from the Secretary to the Authority's office.

G. On the date of hearing, the applicant (or applicant's representative) presents the application to the Authority members. The Authority decides whether to grant, deny or continue the application.

H. Should the application be approved, allow 3 to 5 weeks for processing and issuance. Both the City of Louisville and State of Colorado licenses will be issued from the Office of the Secretary to the Authority.

I. The licensee may begin the sale of liquor or 3.2% beer as soon as the state and local licenses have been posted in compliance with State Liquor Code (in a location visible to the public) on the licensed premises.

J. Licensee must also post the following "WARNING" notices (all notices are available from the office of the Secretary to the Authority):

1. That it is illegal to sell/serve alcohol to anyone under the age of twenty-one;
2. That the police must be notified of all disturbances in the licensed
establishment and on the grounds which are a part of the establishment; and

3. That it is illegal to serve/sell alcohol to any visibly intoxicated person.

K. **THE CITY AND THE STATE OF COLORADO PROVIDE TRAINING CLASSES FOR LICENSE HOLDERS, THEIR MANAGERS AND EMPLOYEES. PLEASE ASK THE SECRETARY TO THE AUTHORITY WHEN THE NEXT TRAINING SESSION WILL BE HELD.** Managers of licensed premises are strongly encouraged to attend the next scheduled training session provided by the Authority following the grant of a new license or the transfer of ownership of a liquor license. All employees involved with sales or service of alcoholic beverages are strongly encouraged to attend at least one training session provided by the Authority per year. Managers and employees who attend training sessions should file proof of such attendance with the Secretary to the Authority, as attendance at training sessions may be considered by the Authority in connection with any suspension or revocation proceedings. In addition to the foregoing, all applicants for a new, renewed or transferred liquor license shall submit with their applications a Statement of Training in essentially the same form as the copy of such Statement accompanying Louisville Local Licensing Authority Resolution No. 1, Series 2017.

**FOR YOUR INFORMATION:** Pursuant to Colorado Liquor Code, applications for liquor and 3.2% beer licenses must address the following issues to the satisfaction of the City and State liquor authorities.

<table>
<thead>
<tr>
<th>APPLICATION FOR:</th>
<th>New License</th>
<th>Transfer of Ownership</th>
<th>Change of Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qualifications, character and reputation of the applicant(s).</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Needs of the neighborhood</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>APPLICATION FOR:</td>
<td>New License</td>
<td>Transfer of Ownership</td>
<td>Change of Location</td>
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<tr>
<td>----------------------------------</td>
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</tr>
<tr>
<td>Desires of the inhabitants of the neighborhood</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**NOTE:** Information regarding the qualifications, character and reputation is addressed in the packet materials. Documentation/proof regarding the needs of the neighborhood, and the desires of the inhabitants of the neighborhood are the responsibility of the applicant. There are no prescribed methods for documenting needs of the neighborhood. The methods most frequently used are as follows:

* Written and/or verbal testimony from parties of interest within the affected neighborhood (presented at the hearing).
* A "needs and desires petition survey" is prepared for presentation with the application.

**NOTE:** The applicant is responsible for familiarity and compliance with the Liquor and 3.2% Beer Codes. Copies of these codes are available for public inspection in the City’s Central Files. You may purchase copies of the State Liquor and 3.2% Beer Code from the State of Colorado Central Stores Division, 4200 Garfield, Denver, CO 80216; Phone (303) 321-2200.
RULE 4

NEW LICENSE - CONTENTS OF LOCAL APPLICATION. All local applications for a new local license shall be made under oath to the Authority Secretary, on forms provided by the Secretary.

RULE 5

TRANSFER OF OWNERSHIP OF LICENSED ESTABLISHMENT.

(a) The applications and procedure for obtaining approval for the transfer of a license shall conform to the application and procedure set forth in these Rules for the granting of a new license, except as specifically provided otherwise in these Rules.

(b) The transferee shall provide an assent from the current license holder. No transfer will be approved until substantial, competent evidence is presented to the Authority demonstrating such assent. A notarized statement by the current license holder requesting that the Authority transfer the license to the transferee is such evidence.

(c) Applications for the transfer of a license will be submitted to the Authority Secretary and scheduled for review before the Authority at the next available meeting.

(d) If all of the transferee licensees are current licensees, as in the reduction of the number of partners in a partnership, the Secretary shall have the authority to grant the application or to refer the application to the Authority.

(e) A temporary permit to authorize the applicant to continue selling alcoholic or fermented malt beverages, during the period in which an application to transfer the ownership of the license is pending, may be issued by the Authority Secretary upon application by the transferee licensee on forms provided by the Authority Secretary and accompanied by the appropriate fee. The Authority Secretary shall issue a temporary permit within five working days from the date of application provided that all requirements of the Colorado Liquor and Beer Code § 12-47-303,
have been met by the applicant. The temporary permit shall be good for not more than one
hundred twenty days or until such time as the application to transfer ownership of the license is
granted or denied, whichever shall occur first. In the event the application to transfer the
ownership is denied by the Authority, the temporary permit is immediately void and the license
remains in the name of the transferor licensee.

RULE 6

CHANGE OF LOCATION.

(a) The application and procedure for obtaining approval for a change of location for a liquor
or fermented malt beverage license shall conform to the application and procedure set forth in
these Rules for the granting of a new license, except as specifically provided otherwise in these
Rules and C.R.S. § 12-47-301(9). In addition, the reason for requesting the change shall be
stated with the application.

(b) A public hearing shall be held in all cases where a transfer of location is desired. Posting
and public notice of such hearing, as provided in Rule 14, shall be given.

RULE 7

RENEWAL OF EXISTING LICENSE.

(a) An application for the renewal of an existing license shall be filed with the Authority
Secretary not less than 45 days prior to the date of expiration stated on the license. The
Authority, for good cause, may waive this time requirement. Local applications for renewal shall be on the forms provided by the Authority Secretary's office.

(b) The Authority Secretary shall forward all renewal applications, as received, to the Local Licensing Authority. No public hearing shall be required on a renewal application (except for a renewal of a license transferred to a financial institution by virtue of foreclosure); provided, however, that the Authority may cause a hearing on the application for renewal to be held, and a hearing shall be held prior to any denial of a renewal application. Notice of and the conduct of any such hearing shall comply with the provisions of these Rules regarding applications for a new license.

**RULE 8**

**CHANGING, ALTERING OR MODIFYING LICENSED PREMISES.** Requests for proposed change, alteration or modification of an existing outlet licensed to sell liquor or fermented malt beverages shall be on forms as are provided by the Authority Secretary of the City of Louisville. Said request shall be accompanied by adequate plans and specifications including dimensions (reference Rule 10) which shall be sufficient to advise the Authority of the scope and nature of the proposed request. The request shall be filed with the Authority Secretary and the Authority Secretary shall set the application for review by the Authority.

**RULE 9**

**FINGERPRINTS/BACKGROUND INVESTIGATION.**
(a) Pursuant to the Bylaws of the Local Licensing Authority, fingerprint/background investigations are done though the Colorado Bureau of Investigation and the Federal Bureau of Investigation shall be required for any application under the Colorado Beer Code or Colorado Liquor Code which requires a determination of the character or reputation of any person.

(b) At such time as the application is complete, with the exception of any fingerprint reports, action on the application may proceed at the request of the applicant if the Authority finds:

(1) The fully executed license application and each individual history record required as part of the application indicates that no applicant, partner, officer, stockholder or director of applicant, and no person lending financial support to the applicant, the manager, or employees, has ever been convicted of a crime, excluding minor traffic violations.

(2) No other reliable information has been provided to the Authority contrary to that described in paragraph (b)(1) above.

(3) The applicant agrees that the Authority may revoke the applicant's license if granted by the Authority and if the fingerprint results contain information contrary to that described in paragraph (b)(1), above.

RULE 10

PLANS AND SPECIFICATIONS.

(a) All plans, specifications and drawings shall be an appropriate size to be legible, and shall show the floor plan and layout of the interior of the building and all exterior areas with dimensions of the building where the license is sought to be exercised. The exterior boundary of
the entire premises to be licensed, and the location where alcoholic beverages will be stored, shall be clearly shown.

(b) If a liquor or on-premises fermented malt beverage license is applied for, the plans and specifications shall in addition show the overall seating capacity of the premises.

(c) If a hotel-restaurant liquor license is applied for, plans and specifications shall, in addition, show the following:

1. The total floor area where meals will be served;
2. Location of all bar counters;
3. Size and dimension of the kitchen and other food preparation areas;
4. Location, number and kinds of ranges, stoves or ovens, refrigerators, food lockers, dishwashers, sinks, and restrooms;
5. Location and dimension of food storage areas, and any other fixtures and equipment to be installed and used in connection with the preparation and serving of meals.

**RULE 11**

**RIGHT TO POSSESSION.**

Each application for a new license, renewal of existing license, transfer of ownership of an existing license, change of location for a liquor or fermented malt beverage license and request for modification of licensed premises shall be accompanied by a deed, lease or other documentation supporting the applicant's right to occupy the premises where the license will be
exercised. Length of lease, etc. must be for the entire length of the liquor license or the license will be subject to revocation per statutes.

**RULE 12**

**BED AND BREAKFAST PERMIT.**

(a) The application and procedure for obtaining approval for a Bed and Breakfast permit shall conform to the application and procedure set forth in these Rules for the granting of a new license (see Rule 15).

(b) A public hearing shall be held in all cases where a Bed and Breakfast permit is desired. Posting and public notice of such hearing, as provided in Rule 14, shall be given.

**RULE 13**

**SPECIAL EVENTS PERMIT.**

(a) Applications for a special events permit shall be made under oath or affirmation to the Authority Secretary, on forms provided by the State Licensing Authority and furnished by the Authority Secretary. Such applications shall be submitted not less than 30 days prior to the proposed event.

(b) Public notice of the proposed permit and of the procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least ten days before approval of the permit by the Local Licensing Authority.

(c) Any protest shall be filed by affected persons within ten days after the date of initial posting of the proposed event. Protests shall be filed in duplicate, with the Authority Secretary of the City of Louisville, Colorado.
(d) Pursuant to § 12-48-107(4), C.R.S., the Authority assigns all its functions under Article 48 of Title 12, C.R.S. (Special Events Permits) to the Authority Secretary.

**RULE 14**

**NECESSITY OF PUBLIC HEARINGS: POSTING AND PUBLICATION OF NOTICE.**

Upon receipt of complete state and local applications, except in the case of an application for renewal of a license, alteration or modification of licensed premises (unless requested by the licensee), or an application for a special events permit, the Authority Secretary shall schedule a public hearing upon the application. The hearing shall be set for the next regular meeting of the Authority, occurring not less than 30 days from the date of the application. The Authority Secretary shall cause to be posted and shall publish public notice of the hearing not less than 10 days prior to such a hearing. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made, and by publication in the *Louisville Times* or other newspaper of general circulation in the City. Notice given by posting and publication shall conform to requirements set forth in C.R.S. § 12-47-311, as applicable.

**RULE 15**

**PRELIMINARY INVESTIGATION AND FINDINGS.**

(a) **New License.** Upon receipt of complete application for a new license, the local licensing authority shall conduct a preliminary investigation with regard to the following matters:

   (1) For liquor applications, whether within two years, and for fermented malt beverages, whether within one year, next preceding the date of the application,
either the state or local licensing authority has denied an application at the same location or within 500 feet of the location, for the reason that the reasonable requirements of the neighborhood and the desires of the inhabitants were satisfied by the existing outlets (shall not apply to applications for Bed and Breakfast Permits);

(2) Whether it satisfactorily appears that the applicant is or will be entitled to possession of the premises for which application is made under a lease or by virtue of ownership;

(3) Whether the sale of liquor or fermented malt beverages as contemplated by the applicant is in compliance with the zoning laws of the City of Louisville, and within any applicable laws, rules or regulations for restaurants of the State Board of Health;

(4) For liquor applications, whether the building in which the liquor is to be sold is located within five hundred feet of any public or parochial school or the principal campus of any college, university or seminary (shall not apply to applications for Bed and Breakfast Permits);

(5) The number and type of outlets located within the neighborhood designated by the applicant as the neighborhood affected by the license applied for;

(6) Any criminal history information on the applicant which has been brought to the attention of the Authority;

(b) **Transfer of Ownership.** Upon receipt of complete state and local applications for a transfer of ownership of an existing license the Local Licensing Authority shall conduct a
preliminary investigation with regard to only those matters set forth in Rule 15(a)(2), (3), and (6) above.

(c) **Change of Location.** Upon receipt of complete state and local applications for a change of location of an existing liquor or fermented malt beverage license, the local licensing authority shall conduct a preliminary investigation with regard to only those matters set forth in Rule 15(a)(1), (2), (3), (4) and (5) above.

(d) **Alteration of Premises.** Upon receipt of a request for permission to materially or substantially change, alter or modify the premises licensed to sell liquor or fermented malt beverages, the local licensing authority shall conduct a preliminary investigation only with regard to those matters set forth in Rule 15(a)(2), (3), (4) and (5) above.

(e) The local licensing authority shall, at least five days prior to the date of the public hearing, make its preliminary findings known, in writing, to the applicant and other interested parties. The Authority Secretary is hereby authorized to conduct investigations and issue preliminary findings on behalf of the Authority.

**RULE 16**

**TASTINGS PERMITS**

(a) Liquor licensees who desire to conduct tastings at their licensed establishments must obtain a Tasting Permit from the Authority in accordance with this Rule. An application for a Tastings Permit may be obtained from the City Clerk’s Office.

(b) The following will be required to be considered for a Tastings Permit (all documents must be typed or legibly printed):
(1) **Application Form** - Information includes: Licensee / Trade Name / Address of Licensed Premises / License # / Business Phone #.

(2) **Fee** - $50 Application/Permit Fee to City of Louisville.

(3) **Control Plan** - Attach a written Control Plan to establish how the applicant will conduct the tastings in compliance with the provisions of Colorado statutes and the Louisville Municipal Code, and without creating a public safety risk to the neighborhood. Include diagrams if needed.

(4) **Server Training** - 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 of the Colorado Department and who is either a retail liquor store licensee, or an employee of a licensee, and may be conducted only on a licensee’s licensed premises. The applicant must complete the server training list on the application form and attach documentation of the training to the application. It is the licensee’s responsibility to ensure that all future employees complete the servers training for tastings and to update promptly the list maintained by the City.

(c) A complete application including associated materials must be submitted to the City Clerk’s Office no less five business days prior to the next meeting of the Authority for consideration at that meeting.

(d) Tastings can be conducted for no more than 5 hours per tasting day between 11:00 a.m. and 7:00 p.m.; no more than 4 of the 6 days from a Monday through Saturday; and no more than 104 days per year.
RULE 17

PROCEDURAL ASPECTS OF PUBLIC HEARINGS; REGULAR MEETINGS.

(a) Public Meetings. All hearings before and meetings of the Authority shall be open to the public in accordance with Section 1. Meetings, of LLLA Bylaws. Regular meetings shall be held monthly, as scheduled by the Authority at its first regular meeting in December of each year, beginning at 7:00 p.m., in the Louisville City Hall, unless otherwise posted and unless there are no items for the Authority's consideration. All other meetings of the Authority shall be special meetings upon the call of the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, or on the call of at least two (2) members of the Authority. All meetings of the Authority, whether regular or special, shall be open to the public.

(b) Notice of meetings. Notice of all regular and special meetings shall be posted at least twenty-four hours in advance on the bulletin board at the east entrance of the Louisville City Hall or at such other public place as determined by the Authority at its first regular meeting in January of each year.

(c) Each Authority member shall be personally notified in writing in advance of any special meeting. The notice may be served personally or be left at the usual place of residence of the member at least 48 hours prior to the time set for the meeting, or be mailed not less than five calendar days prior to the time set for the meeting by U.S. mail, first class postage prepaid. No such notice to an individual Authority member is necessary if action is taken at a preceding regular meeting of the Authority, at which the Authority member is present, setting the date and time for a special meeting. A member may waive notice of the special meeting, in writing, before, at, or after the special meeting is held. Attendance by a member of the Authority at a
special meeting constitutes waiver of the notice of the special meeting, unless the member attends the special meeting for the express purpose of objecting to the transaction of business because the special meeting was unlawfully convened or called.

(d) At a public hearing, any party in interest shall be allowed to present evidence and to cross-examine witnesses. A party in interest shall mean the applicant, a resident of the neighborhood under consideration, or the owner or manager of a business located in the neighborhood. At a meeting other than a public hearing the public shall be afforded an opportunity to comment on any matter relevant to the Authority's responsibilities, subject to the discretion of the Chair on the time and length of such comment. At a show cause hearing, any Authority member may question any witness, including the Licensee.

(e) The Authority, in its discretion, may limit the presentation of evidence and cross-examination, so as to prevent repetitive and cumulative evidence or examination.

(f) Questions concerning the competency of witnesses to testify on behalf of or in opposition to the issuance of the license, the materiality, relevancy, or competency of their testimony, and other evidentiary matters will be determined by the Authority as said questions arise. No testimony shall be offered unless given under oath.

(g) Recording. All proceedings shall be recorded through stenographic or verbatim reproductions.

(h) Transcriptions. Any person seeking judicial review of a decision of the Authority shall pay to the City of Louisville the cost of preparing a transcript of the proceedings before the Authority whenever a transcript is demanded by the person seeking the review, or furnished by
the City pursuant to Court order. If members of the City staff prepare the transcription, the amount of the charge shall be as determined by the City Administrator.

(i) Except as otherwise provided in these rules, all action by the Authority relating to an application set for a public hearing or public meeting shall be preceded by a formal motion stating the proposition to be determined by the Authority. Each such motion shall be seconded by not less than one member of the Authority other than the movant before submission of the proposition to a vote of the members. A motion to instruct the City Attorney to draft findings denying the application takes precedence over the motion to grant the application. If such motion passes, the action on the motion to grant is stayed for no more than 29 days, during which time a meeting must be held, at which time the main motion shall be voted upon.

(j) All exhibits shall be marked and introduced by the applicant as in civil cases.

(k) All exhibits must be on 8½" x 11" size paper unless otherwise admitted by the chairperson. For demonstration purposes at the hearing, exhibits may be enlarged and mounted on cardboard or similar material, but the mounted exhibits will not be accepted by the Authority and will not become a part of the record.

(l) The Authority Secretary may grant an applicant's written request to continue a matter set for hearing to the next following regular meeting, if such request is made prior to the time that publication and posting of notice of hearing on the matter has been made. Once a matter has been scheduled for public hearing and public notice thereof has been given, the Authority Secretary may grant an applicant’s written request for a continuance prior to the hearing date only for good cause shown. Good cause includes but is not limited to unavailability of witnesses and inadequate time to prepare, and may not result from neglect on the part of the applicant. The
Authority may, by motion, grant an applicant's request for a continuance, upon a showing by the applicant of good cause. For good cause, the Authority may, by motion, continue a hearing on its own initiative; provided, however that the applicant is given an opportunity to state his position on the proposed continuance before a vote thereon is taken.

(m) Any decision of the Authority approving or denying an application or request after a public hearing or public meeting shall be in writing, shall state the reason therefor, and shall be made no later than 30 days after the date of the public hearing. A copy of the decision shall be sent by certified mail, to the applicant at the address shown in the application.

RULE 18
SUSPENSION AND REVOCATION; HEARINGS AND PROCEDURE.

(a) The local licensing authority has the power, on its own motion or on complaint, after investigation and public hearing at which the licensee shall be afforded an opportunity to be heard, to suspend or revoke any license issued by the Authority for any violation by the licensee, or by any of the agents, servants or employees of such licensee of the provisions of the Colorado Liquor or Beer Code, or any of the rules, City ordinances or regulations authorized pursuant to such Codes or of any of the terms, conditions or provisions of the license issued by the Authority.

(b) Proceedings to suspend or revoke a license shall be initiated as follows:

(1) Whenever a written complaint shall be filed with the Authority, charging the licensee with a violation of any provisions of the Colorado Liquor or Beer Code, or of the rules, City ordinances or regulations promulgated thereunder, or any of the provisions of the license issued, or
(2) By motion of the Authority, when information has been received from the Louisville Police Department or the State Department of Revenue which, if substantiated, could be grounds for a suspension or revocation of license. In determining whether such proceedings shall be initiated by such motion, the Authority shall consider the relevant circumstances of the alleged violations, the number of alleged violations concerning the licensee, and the severity of the violations alleged. If information is received by the Authority, which if substantiated, could be grounds for suspension or revocation of the license, but the Authority determines not to initiate formal suspension or revocation proceedings, notification regarding the alleged violation shall be mailed, by first class mail, to the licensee. The notification shall be in the form of a letter, and shall contain such information as the Authority deems appropriate.

(c) If suspension or revocation proceedings are initiated, the Licensing Authority shall determine, by investigation, the probable truth of the charges against the licensee. The Authority Secretary is hereby authorized to conduct such investigation on behalf of the Authority.

(d) If it shall appear upon such investigation, or otherwise come to the attention of the Authority, that there is probable cause to believe that grounds for revocation or suspension exists, the Authority shall issue a notice of hearing and order to show cause why the license should not be suspended or revoked, and shall appoint counsel to represent the City at the hearing. Such notice and order shall be sent by certified mail to the licensee at the address contained in the license, and shall contain such information as will reasonably notify or inform the licensee of the charges or alleged grounds for suspension or revocation.
(e) The hearing shall be held at the place and time designated in the notice, or upon such other day as may be set for good cause shown. At the hearing, evidence in support of the charges shall be given first, followed by cross-examination of those testifying thereto. The licensee, in person or by counsel, shall then be permitted to give evidence in defense and in explanation, and shall be allowed to give evidence and statements in mitigation of the charges. In the event the licensee is found to have committed the violation charged, or any other violation, evidence and statements in aggravation of the offense shall also be permitted.

(f) At such hearing, the Local Licensing Authority has the power to administer oaths. The Authority has the power to issue subpoenas to require the presence of persons and the production of all papers, books and records necessary to its determination.

(g) If the evidence presented at the hearing does not support the charges stated in the notice and order served upon the licensee, but standing alone establishes a violation of some other law, rule or regulation, the licensee shall be permitted to give evidence and statements in defense, explanation and mitigation if then prepared to do so. If such evidence is not then available, but can be obtained by the licensee, the licensee shall state the substance thereof and upon his request, the hearing may be recessed for not more than 10 days and shall continue under the same procedure as though no recess had occurred.

(h) In the event the licensee is found not to have violated any law, rule or regulation, the charges against him will be dismissed. If the licensee is found to have violated some law, rule or regulation, his license may be suspended or revoked.
(i) The Licensing Authority shall furnish the licensee its decision, in writing, within 60 days following the hearing. Such notice shall be certified mailed to the licensee at the address contained in such license.

(j) In the event of revocation, or suspension, no portion of the license fee or occupation tax shall be refunded.

(k) If a license has been suspended, the Authority has the power to order the posting of notices of suspension on the premises.

(l) No suspension of a license shall be for a period longer than six months.

(m) Where the Authority has reasonable grounds to believe and finds that a licensee has been guilty of a deliberate and willful violation of any applicable law or regulation or that the public health, safety or welfare imperatively requires emergency action and incorporates such findings in an order, the Authority may temporarily or summarily suspend the license pending proceedings for a suspension or revocation hearing, which shall be promptly instituted and determined. A temporary suspension of a license without notice pending any prosecution, investigation or public hearing, shall be for a period not to exceed 15 days.

(n) The following suspension penalties represent guidelines only and are not binding on the Authority. The Authority reserves the right to impose any penalty authorized by law.
<table>
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<tr>
<th>LICENSE TYPE</th>
<th>1st Offense</th>
<th>2nd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum*</td>
<td>Maximum</td>
</tr>
<tr>
<td>Retail Liquor Store</td>
<td>1 day</td>
<td>3 days</td>
</tr>
<tr>
<td>3.2% Beer – Off Premises</td>
<td>3 days</td>
<td>5 days</td>
</tr>
<tr>
<td>On Premises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel-Restaurant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beer &amp; Wine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tavern</td>
<td></td>
<td></td>
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<tr>
<td>Club</td>
<td></td>
<td></td>
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<tr>
<td>3.2% Beer – On Premises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed &amp; Breakfast</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Service of a one day suspension is required for first offense
**Service of the listed minimum suspension period required for second offense

(o) The Authority may consider the following among other things, in imposing suspension periods:

- Mitigating Facts
  - Training programs (initial & on-going)
  - Written policies
  - Supervision procedures
  - Self-check programs
  - Use of birthdate-input cash registers

- Aggravating Facts
  - Prior violations in past five years
  - Irresponsible advertising policies
  - Failure to accept responsibility
  - Failure to institute corrective measures/policies
  - Prior police reports or other reports of disturbances on the licensed premises

(p) Any period of suspension imposed by the Authority, or agreed to by the Licensee in a stipulated settlement of a hearing, must be served within thirty (30) days of the hearing at which the suspension is imposed or the stipulation approved.
The Authority will consider requests for the abeyance of imposition of all or any part of the suspension period and requests to pay a fine-in-lieu of suspension on a case-by-case basis. The Authority may also require managers and/or all employees involved with sales or service of alcoholic beverages to attend a training program if the Licensee has been found guilty of a violation.

In addition to the foregoing penalties, the Authority may revoke any future permits for special events or tastings where a violation has occurred at a special event or at a tasting.

RULE 19
POST APPROVAL INSPECTION.

If any application is approved before the building in which the business is to be conducted is ready for occupancy in compliance with law, the Authority Secretary shall make further inspections to determine if the approved plans have been complied with before issuing the license. The secretary may delegate that task of inspection to any other government employee (building officials), and may act upon the report of such person.

RULE 20
PETITIONS.

Petitions, if any, circulated by the applicant or its agents shall be submitted to the City Clerk no later than five days before the public hearing. Petitions submitted to establish the desires of the inhabitants of the neighborhood shall contain signatures only of adult residents of the neighborhood. Petitions shall contain the signature, address and age of each signatory, and an
indication of approval or denial of the application. In addition, the Authority recommends that applicants submit information indicating whether or not the address of the signatory is a business address or residential address, and any other pertinent information. In the case of all applications, persons twenty-one years of age or older are adults.

RULE 21

CONFLICT OF LAW.

Where any conflict exists between any provisions of these rules and the Bylaws of the Local Licensing Authority, City ordinance or state statute, such Bylaws, ordinances, or statutes shall control over the provisions of these rules and these rules shall be deemed to have been amended to conform to such Bylaws, ordinance and statutes.

Approved effective the 28th day of August, 2017.

LOCAL LICENSING AUTHORITY
CITY OF LOUISVILLE, COLORADO

By: ________________________________
    Marguerite Lipton, Chairperson
AMENDED AND RESTATED BYLAWS OF THE LOUISVILLE LOCAL LICENSING AUTHORITY

ARTICLE I
The Authority

Section 1. Introduction. These Amended and Restated Bylaws (“Bylaws”) of the Louisville Local Licensing Authority (the “Authority”) are adopted pursuant to the authority stated in the Chapter 5.08 and Chapter 5.10 of the Louisville Municipal Code. These Bylaws replace any previous Bylaws for the Authority.

Section 2. Office. The office of the Authority shall be considered the Louisville City Hall, 749 Main Street, Louisville, CO 80027, or such other place in the City of Louisville, Colorado as the City Manager may designate from time to time.

Section 3. Purpose and Duties.

A. Quasi-Judicial. The Authority shall have the powers and functions specified in the ordinances of the City and applicable state statutes.

B. Duties. The duties of the Authority shall include, but not be limited to, those duties established in Chapters 5.08 and 5.10 of the Louisville Municipal Code and shall relate to all licensing for the sale of all malt, vinous, or spirituous liquors and all medical marijuana.

ARTICLE II
Members

Section 1. Number of Members. The Authority shall consist of five (5) members whom City Council shall appoint.

Section 2. Associate Member.

A. In addition to the members of the Authority, the City Council may appoint one (1) associate member for a four-year term. In the event that any regular member is temporarily unable to act, the member's place may be taken during such temporary disability by the associate member who during such disability shall enjoy full voting privileges.

B. Any matter brought before the Authority may be discussed by all the regular and associate members present.
C. At no time shall there be more than five (5) voting members on the Authority.

Section 3. Requirements.

A. Members shall be residents of the City at the time of their appointment and at all times while serving on the Authority (Louisville Home Rule Charter Section 10-2c.)

B. No person shall serve on the Authority who holds a license for the sale of alcoholic beverages, fermented malt beverages, or medical marijuana, or who has a financial interest in any such license, or who has a financial interest in the business of any person who has such a license, or who is employed in a business licensed to sell alcoholic beverages, fermented malt beverages, or medical marijuana. (Louisville Municipal Code Sec. 5.08.080)

Section 4. City Employees. Members may not be employees of the City of Louisville at any time during their appointment to the Authority.

Section 5. Term of Members. Each member shall be appointed for a four-year term. A member’s term of office shall commence January 1 and shall expire December 31 of the last term year. Notwithstanding the foregoing, the City Council shall have the authority at the time of appointment to any vacancy to reduce the length of a member’s term as necessary to avoid more than two-thirds of the members’ terms expiring at the same time.

Section 6. Compensation. Members shall serve without compensation. Expenses actually incurred in the performance of the duties of office may be paid only if the expense and amount thereof are approved and authorized in advance by a writing signed by the City Manager. (Louisville Home Rule Charter Section 10-2e).

Section 7. City Liaison. The City Manager shall appoint a City staff member to act as liaison to the Authority. Such liaison may advise the Authority, make recommendations, and bring items for discussion. Such liaison is not a member of the Authority, does not vote on matters before the Authority, and may not be counted as a part of a quorum.

ARTICLE III
Officers and Personnel

Section 1. Officers. The officers of the Authority shall be a Chair and Vice-Chair.
Section 2. Chair. The Chair shall preside at all meetings of the Authority.

Section 3. Vice-Chair. The Vice-Chair shall perform the duties of the Chair in the Chair’s absence or inability to act. In the event of the absence or inability to act of both the Chair and Vice-Chair, the remaining members shall select some other member of the Authority to temporarily perform the duties of the Chair.

Section 4. Additional Duties. The officers of the Authority shall perform such duties and functions as may from time to time be required or authorized by the Authority or these Bylaws.

Section 5. Election of Officers. The officers of the Authority shall be elected annually by the Authority at its first meeting of each calendar year and shall assume their duties upon election. Officers shall hold their office for one year or until their successors are selected and qualified. If the office of the Chair or Vice-Chair is vacant, the Authority shall select a successor from its membership to serve for the unexpired term of said office.

Section 6. Secretary. The Deputy City Clerk shall serve as secretary to the Authority and shall receive all applications for licenses and shall issue all licenses granted by the Authority. The Deputy City Clerk shall provide or cause to be provided necessary secretarial and reporting services for the Authority and shall provide such notices as may be required of the City by state liquor, beer, and medical marijuana laws and this Code.

Section 7. Vacancies. At the end of any member’s term, the City Council shall advertise for interested applicants and interview persons regarding such vacancy. Appointments are made annually in December. Members may reapply for vacant positions.

Section 8. Mid-term Vacancies. If an Authority member resigns his/her post mid-term, the City Council may invite applications and interview persons regarding such vacancy. The City Council may appoint an applicant to fill the vacancy for the remainder of the year. Such an appointee shall be required to then reapply for the position at the end of the year during the annual application process.

Section 9. Removal. A member may be removed during his/her term of office for cause by the City Council as defined in the Louisville Home Rule Charter and Resolution No. 16, Series 2009. Cause shall include but not be limited to:

A. Violation of City or state ethics laws;
B. Conviction of a felony or of any other crime involving moral turpitude;
C. Unexcused absence from more than 25 percent of the regular meetings in any 12-month period;
D. Neglect of duty or malfeasance in office;
E. Knowing violation of any statute, ordinance, resolution, rule, policy or bylaw applicable to the board or commission;
F. Knowing disclosure of confidential information, which is defined to mean information which is not available to the general public under applicable laws, ordinances and regulations, and which is obtained by reason of the board or commission member’s position with the City;
G. Failure to maintain the qualifications of a board or commission member for the board or commission on which the member serves;
H. Behaving in a harassing, hostile, threatening or otherwise inappropriate manner, or unreasonably disrupting or interfering with the conduct of any meeting of a board or commission; or
I. Other grounds constituting cause as established by law.

ARTICLE IV
Meetings

Section 1. Regular Meetings. The Authority’s regular meeting time and location shall be determined at the first meeting of each calendar year. In the event any regular meeting falls on a legal holiday observed by the City of Louisville, the Authority shall designate a new meeting time a minimum of one month prior to the holiday meeting date.

Section 2. Meeting Notice. The agenda for any meeting shall be posted a minimum of seventy-two hours in advance of the meeting in the following locations and will serve as notice of the meeting:
A. City Hall, 749 Main Street
B. Library, 951 Spruce Street
C. Recreation Center, 900 West Via Appia
D. Police Department/Municipal Court Building, 992 West Via Appia
E. City Web Site at www.LouisvilleCo.gov

Section 3. Location of Meeting. Pursuant to Section 4-5(d) of the Louisville Home Rule Charter, all meetings of the Authority shall occur in public buildings and public facilities accessible to all members of the public.

Section 4. Special Meetings and Business at Special Meetings.
A. Except for an emergency special meeting governed by Subsection B, each special meeting of the Authority shall be called by an officer on the request of any three members of the Authority, and shall be held on at least forty-eight hours written notice. Notice of such special meeting shall be posted in the same manner as prescribed in Article IV, Section 2.

B. An emergency special meeting shall be called by the Secretary on the request of the Chair or any three members of the Authority, and shall be held on at least twenty-four hours written notice to each member of the Authority. Notice shall be posted at least twenty-four hours in advance of such emergency special meeting in the locations prescribed in Article IV, Section 2. An emergency special meeting shall not be called unless:

   (i.) Each member requesting the meeting has determined that the meeting is urgently necessary in order to take action on an unforeseen matter requiring immediate action; and

   (ii.) The basis for the determination described in Paragraph (i) is stated in the notice of the meeting.

C. All reasonable efforts shall be made to notify members. The notice need not be served if the member has waived the notice in writing.

D. The Authority shall not take action on any item of business at any special meeting unless:

   (i.) The item to be acted on has been stated in the notice of the meeting; or

   (ii.) The item to be acted on is reasonably related to the item which was stated in the notice of the meeting.

Section 5. Quorum. The powers of the Authority shall be vested in the members thereof in office from time to time. A majority of the members shall constitute a quorum for conducting business, but in the absence of a quorum, a lesser number may adjourn any meeting to a later time and date until a quorum is present. When a quorum is in attendance, action may be taken by the Authority upon an affirmative vote of the majority of the members present, except in cases where a greater number is required by the Louisville Home Rule Charter or ordinances, or state laws applicable to the City.

Section 6. Open Meetings. In addition to the requirements of these Bylaws, the Authority shall comply with all applicable provisions of the open meetings laws of the State of Colorado and the Louisville Home Rule Charter.

Section 7. Open Government.
A. Notice of meetings of the Authority shall be provided to the public in accordance with the requirements of these Bylaws and other applicable provisions of the open meetings laws of the State of Colorado and the Louisville Home Rule Charter.

B. The agenda for any meeting of the Authority shall contain an itemized list of all subjects on which substantive discussions are reasonably expected or which may be the subject of formal action.

C. The Authority shall not engage in substantive discussions relating to, or take formal action on, any subject when that subject was not listed in the agenda for that meeting and is not substantially related to any subject listed in the agenda.

D. For purposes of Subsection C of this Section, a subject is not substantially related to a subject listed in the agenda when a person reading the agenda before the meeting would not have reasonably expected that the subject would be substantively discussed or formally acted upon at the meeting.

E. For purposes of this Section, “substantive discussions” means debate, deliberation or other discussion about the merits, benefits, advantages or disadvantages of any proposed or possible resolution of any issue that will be or may be the subject of formal action by the Authority.

F. Each member of the Authority shall participate in at least one City-sponsored open government-related seminar, workshop or other program at least once every two years. Such program shall conform to the requirements of Section 4-16(a) of the Louisville Home Rule Charter.

Section 8. Agendas and Meeting Materials.

A. To the extent possible, the agenda and all documents and materials requiring action by the Authority at any meeting shall be provided each Authority member seventy-two hours in advance of such meeting.

B. The Authority shall make available to the public the agenda and all agenda-related materials. Such information will be available as follows:

i. City Web Site at www.LouisvilleCo.gov

ii. City Clerk’s Office, City Hall, 749 Main Street

iii. Library Reference Desk, 951 Spruce Street
C. For purposes of this Section, “agenda-related materials” means the agenda, all reports, correspondence and any other documents forwarded to the Authority that provide background information or recommendations concerning the subject matter of any agenda item, excluding any documents or records which may or must be withheld from disclosure pursuant to state or federal statutes or constitutional provisions, or common law.

D. Any document that is submitted to the Authority during a meeting shall be immediately made available to the public either by making copies available to the public at the meeting or by displaying the document at the meeting so that the public can view the document. No discussion or consideration of such a document by the Authority shall occur unless the document has been made available to the public as provided in this Subsection D. The foregoing shall not be construed to require the dissemination, display or disclosure of any document or record which otherwise may or must be withheld from disclosure pursuant to state or federal statutes or constitutional provisions, or common law.

Section 9. Order of Business. The order of business at Authority meetings shall be as follows except as modified by action of the Authority at any meeting:

A. Roll Call.
B. Approval of Agenda.
C. Action on Minutes.
D. Authority Business.
E. Secretary Report.
F. Authority Attorney's Report.
G. Adjournment.


A. Public records of the Authority shall be open for inspection during normal business hours in accordance with the provisions of the Colorado Open Records Act, and Section 5-5 of the Louisville Home Rule Charter. The Authority shall strictly construe exceptions provided under the State statutes authorizing certain public records to be exempt from disclosure to the public. In the event of conflict among the various provisions of such laws, whichever law provides greater access to Authority records and less expense to the person requesting the records shall control disclosure by the Authority.

B. City Staff shall maintain a file of all studies, plans, reports, recommendations and resolutions made by the Authority in the exercise of its duties.

ARTICLE V
General

**Section 1. Committees.** The Chair may appoint members of the Authority to such committees as deemed necessary to perform any functions for the purpose of advising the Authority.

**Section 2. Conflict of Interest; Code of Ethics.** The members and officers of the Authority shall comply with all applicable federal and state laws regarding conflicts of interest. The members, officers and employees of the Authority shall also comply with the Code of Ethics set forth as Sections 5-6 through 5-17 of the City of Louisville Home Rule Charter ("Code of Ethics"). For purposes of application of such Code of Ethics only, the Authority shall be considered a “public body” and a member of the Authority shall be considered a “public body member."

**Section 3. Amendment of Bylaws.** The Bylaws of the Authority may be amended only upon a majority vote of the members of the Authority.

**Section 4. Conflict of Law.** Where any conflict exists between any provision of these Bylaws and the Louisville Home Rule Charter or City ordinances, such ordinances or statutes shall control over the provisions of these Bylaws and these Bylaws shall be deemed to have been amended to conform to such ordinances and statutes.

**ARTICLE VI**
**Hearings**

**Section 1. Recording.** A record of all proceedings shall be made by electronic recording device.

**Section 2. Rules of Evidence.**

A. The Authority will not observe formal rules of evidence during hearings, but may consider any matter which the Chair concludes is reasonably reliable and calculated to aid the Authority in reaching an accurate determination of the issue involved.

B. Rulings on questions of admissibility will be decided by the Chair unless objected to by a member of the Authority, in which case the ruling shall be made by the Authority.

C. Exhibits shall be marked and identified for the record before offering them to the Chairperson for admission into the record of the hearing.

**Section 3. Testimony.**
A. All testimony shall be given under oath and all witnesses shall identify themselves by name and address.

B. Any party in interest shall be allowed to present evidence and to cross-examine witnesses personally or by counsel. A party in interest shall mean the applicant, a resident of the neighborhood under consideration, or the owner or manager of a business located in the neighborhood or any other person identified as a party in interest in the Authority’s Rules of Procedure.

C. The Chair may limit testimony or questioning that is repetitive, cumulative, argumentative, or not pertinent to the issues, and may set a reasonable time limit on the duration of the testimony if the Chair determines it to be necessary in light of the number of persons seeking to testify.

Section 4. Authority Questions. Authority members may ask questions of any witness but shall refrain from entering into any argument or debate with any witness.

Section 5. Applicable Standards. In making its decisions, the Authority shall apply the applicable standards set out in state law and City ordinances.

Section 6. Burden of Proof. The burden of proof is on the Applicant to show that the application meets the criteria of City ordinances, state statutes, and other applicable law.

Section 7. Decisions of the Authority.

A. Following the conclusion of a hearing, the Authority may render its decision immediately or take the matter under advisement for further deliberations.

B. Each decision of the Authority shall be in writing and a copy thereof shall be sent, by certified mail, to the Applicant at the address shown on the application. A copy of the decision shall also be provided to any other person requesting a copy.

C. The decision shall be issued no later than 30 days after the conclusion of the hearing.

Section 8. Continuance. Whenever, in the opinion of the Authority, a hearing cannot be completed at a reasonable hour on the original hearing date, or for other good cause as determined by the Authority, the Authority may continue the hearing to a later date. The Authority Secretary may also grant a written request for a continuance prior to the hearing date consistent with the Local Licensing Authority Rules of Procedure.

Section 9. Rehearing.
A. The Authority may rehear a previously granted or denied application and may modify its decision thereon only if:

1. The hearing is conducted and the decision modified at a time prior to the date an appeal of the initial decision must be perfected pursuant to C.R.C.P. 106(a)(4); and

2. There has been a substantial change in the facts or law subsequent to the initial hearing.

B. Prior to any rehearing, the Authority shall cause proper notice thereof to be given to the parties and the public.

Section 10. Order of Hearings. The order of the hearing shall be as follows unless revised by the Authority by vote at the hearing:

A. Chair opens public hearing.

B. Opening Statement by Chair. The Chair shall state the purpose of the hearing and generally describe the procedure for conducting the hearing.

C. Authority member disclosures, if any.

D. The Secretary shall present the Secretary’s report, summarizing the application, the documents accompanying it, the results of any City investigation, and the notice given.

E. Reports of representatives of City departments or other governmental agencies, if any.

F. Applicant’s presentation to the Authority and Applicant’s witnesses. The Authority, Authority attorney, and parties in interest opposed to the application may question the Applicant and any of the Applicant’s witnesses.

G. Statements to the Authority by other parties in interest in favor of the application. The Authority, Authority attorney, and parties in interest opposed to the application may question those making statements to the Authority in favor of the application.

H. Statements to the Authority by parties in interest opposed to the application. The Authority, Authority Attorney, the Applicant and other parties in interest who favor the application may question those making statements to the Authority opposed to the application.

I. Rebuttal by Applicant. Questions of the Applicant by those identified in paragraph F, above.
J. Close the public hearing.

K. Authority comment and decision on merits or to take the matter under advisement.

**Section 11. Reopening Public Hearing.** No further evidence shall be presented or considered by the Authority after the hearing is closed, unless the hearing is reopened after all parties are notified and given an opportunity to be heard. Hearings will be reopened only when the Authority deems it necessary to provide justice or fundamental fairness or for other good cause.

**Section 12. Communications.** Prior to a hearing, the Authority may receive a copy of the application and file, report from the Secretary, and notice of the hearing. No other oral or written communication shall be made to the Authority by any person concerning a pending or impending application except:

A. At a public hearing; or

B. With regard to procedural matters in which the merits of the application are not addressed;

C. Communication to or from the Authority's legal counsel; or,

D. As otherwise set forth in the Bylaws of the Authority.

**Section 13. Transcriptions.** Any person seeking judicial review of a decision of the Authority shall pay to the City of Louisville the cost of preparing a transcript of the proceedings before the Authority whenever a transcript is demanded by the person seeking the review, or furnished by the City pursuant to Court order. If members of the City staff prepare the transcription, the amount of the charge shall be as determined by the City Manager.

**ARTICLE VII. Application and Investigation Procedures**

**Section 1. Fingerprint checks.**

A. Fingerprint checks though the Colorado Bureau of Investigation and the Federal Bureau of Investigation shall be required for any application under the Colorado Beer Code, Colorado Liquor Code, or Colorado Medical Marijuana Code which requires a determination of the character or reputation of any person.

B. At such time as the application is complete, with the exception of any fingerprint reports, action on the application may proceed at the request of the applicant if the Authority finds:
(1) The fully executed license application and each individual history record required as part of the application indicates that no applicant, partner, officer, stockholder or director of applicant, and no person lending financial support to the applicant, the manager, or employees (applicable to medical marijuana business licenses only), has ever been convicted of a crime, excluding minor traffic violations.

(2) No other reliable information has been provided to the Authority contrary to that described in paragraph (b)(1) above.

(3) The applicant agrees that the Authority may revoke the applicant's license if granted by the Authority and if the fingerprint results contain information contrary to that described in paragraph (b)(1), above.

THESE BYLAWS ARE ADOPTED by the Louisville Local Licensing Authority this 28th day of March 2011.

________________________________________
Vice-Chair

________________________________________
Secretary

Approved by the Louisville City Council on the ____ day of _________ 2011.

ATTEST: ________________________________
Charles L. Sisk, Mayor

_______________________________________
Nancy Varra, City Clerk