

ORDINANCE NO. 777

AN ORDINANCE AMENDING CHAPTER 6 OF THE DACONO MUNICIPAL CODE AUTHORIZING THE CITY CLERK, AS LOCAL LICENSING AUTHORITY SECRETARY, TO APPROVE CERTAIN LIQUOR LICENSE APPLICATIONS.

WHEREAS, the City Council finds that authorizing the City Clerk, acting as the Liquor Licensing Authority Secretary, to approve certain liquor license applications as set forth herein will increase the efficiency of the liquor licensing process and thus promote the Council's interest in more effectively serving the City's residents and business community; and

WHEREAS, under the procedures set forth herein, the Liquor Licensing Authority will retain authority over applications, and hold hearings for, all new liquor license applications and other applications where the City Clerk finds there may be cause to deny the application, and where the Authority finds reasonable cause to believe a licensee has committed one or more violations of the State of Colorado Liquor Code, Colorado Liquor Code Regulations, and/or City of Dacono ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DACONO, COLORADO:

Section 1. Chapter 6, Section 6-96 of the Dacono Municipal Code is hereby amended to read as follows (text to be deleted is ~~stricken through~~; text to be added is underlined):

Sec. 6-96. City clerk – Licensing duties – Duties as authority secretary.

(a) The city 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. The city clerk shall serve as the official secretary of the authority and shall designate a person or persons to provide the necessary notice of meetings to members, and secretarial and reporting services for the authority. The secretary shall prepare and keep minutes of the meetings of the licensing authority. The record of such meetings for each calendar year shall be submitted annually to the city council on or before February 15, and shall become permanent records of the city to be maintained by the city clerk.

(b) The secretary may administratively approve the following applications, unless the secretary finds there is cause for denial or, in the secretary's opinion, a hearing should be held on the application, in which case the secretary shall forward the application to the Authority for a hearing and cause notice of the hearing to be provided as required by statute:

(1) an application Applications for renewal when the licensee has not, within the preceding two years, had its license suspended or paid a fine in lieu thereof. All other applications for renewal shall be approved by the authority.

(2) Special event permits. Pursuant to the authority granted in C.R.S. § 12-48-107(5), such permits shall be granted by the secretary without requiring approval by the state licensing authority. Prior to granting a special event permit, the secretary shall review information on file with the state licensing authority to confirm compliance with C.R.S. § 12-48-104(3), which restricts the number of permits issued to an organization in a calendar year. Within ten (10) days of issuing a special event permit, the secretary shall report to the state liquor enforcement division the name of the organization to which a permit was issued, the address of the permitted location, and the permitted dates of alcohol beverage service.

(3) Transfer of ownership.

(4) Tastings permits.

(5) Change of corporate structure.

(6) Modification of premises.

(7) Change of trade name.

(8) Change of location.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

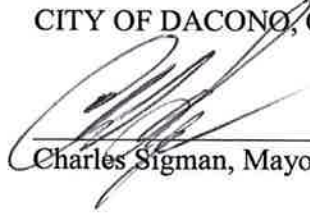
INTRODUCED, READ, ADOPTED ON FIRST READING, AND ORDERED PUBLISHED BY TITLE AND POSTED IN FULL this 14th day of October, 2013.

PUBLIC HEARING AND SECOND READING WILL BE THE 28th day of October, 2013 AT 7:00 P.M. AT DACONO CITY HALL, 512 CHERRY STREET, DACONO, CO.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND

ORDERED PUBLISHED BY TITLE this 28th day of October, 2013.

CITY OF DACONO, COLORADO



Charles Sigman, Mayor

ATTEST:



Valerie Taylor, City Clerk

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Summary of Ordinance No. 777 **“AN ORDINANCE AMENDING CHAPTER 6 OF THE DACONO MUNICIPAL CODE AUTHROIZING THE CITY CLERK, AS LOCAL LICENSING AUTHORITY SECRETARY, TO APPROVE CERTAIN LIQUOR LICENSE APPLICATIONS”**: Authorizes the City Clerk, in the Clerk’s capacity as the Local Licensing Authority Secretary, to administratively approve certain liquor license applications.