



# CITY AND COUNTY OF DENVER

DEPARTMENT OF EXCISE AND LICENSES

OFFICE OF THE DIRECTOR  
201 West Colfax Avenue, # 206  
Denver, Colorado 80202

## HIGHLIGHTS OF LATEST REVISIONS TO LIQUOR/CABARET POLICIES

Effective April 24, 2009

- Registered Neighborhood Organizations (RNOs)
  - Expanded RNO notification: E-mail notifications will be made to RNOs whose boundaries encompass any portion of the Designated Area. II.D.2.
  - Clarifies that a representative of an RNO who is designated to present the RNO's position on an application for a liquor license must reside within the RNO's geographic boundaries and be a member of the RNO, but need not reside in the Designated Area. II.F.6.f.4.(a).
  - Clarifies that RNOs must request an extension of posting from 20 to 45 days in writing (e-mail or letter) within ten (10) days of the e-mailing of notice of the application to the RNOs.
- Application, review of application, investigation
  - Provides links to all of the forms available on line.
  - The Department may investigate the accuracy of information provided, the fitness of the applicant to conduct the business, and the character, record and reputation of the applicant or its officers or directors relating to the likelihood that violations of the Colorado Liquor Code may occur. II.E.2.a.
  - If issues arise or additional investigation is necessary regarding character, record or reputation of the applicant, a temporary permit will not be granted. III.
- Elected officials
  - Clarifies that, although elected officials are given the courtesy of presenting their position at a hearing, because they are not parties in interest, their testimony has no evidentiary value. If an elected official resides within the designated area, however, he or she can testify as one of the 3 witnesses allotted to either side. II.F.6.f.(3).
- Hearing
  - Clarifies that the order of presentation of evidence at a hearing can be modified by the Hearing Officer, for example, to accommodate community residents at an evening hearing. II.F.6.g

- Discusses how evidence is to be introduced at a hearing. II.F.6.h.
- Evening hearings will only be scheduled for new applications, transfers of location (in effect, a new license for a new location), and relevant protests to a proposed material modification of an existing license. An evening hearing may be scheduled for a protested license renewal if the protest is relevant and substantiated. II.F.5.b.
- Evening hearings will not be scheduled for new applications that post for twenty (20) days only.
- Decision
  - Clarifies that a copy of the Recommended Decision will be sent to the applicant and the applicant's attorney; the Assistant City Attorney; and the representative of protestants at the hearing, or if no representative was used, any resident of the designated area who testified at length as a party in interest. II.F.8.a.(1).
  - Clarifies that only a party-in-interest [applicant; adult resident, owner or manager of a business in the designated area; managers or owners of businesses in the designated area who do not reside in the designated area; representative of school within 500 feet of the premises] who testified at the hearing, either as an at-length witness or as an "en masse" witness, can submit objections to the Recommended Decision. II.F.8.a.(2).
  - Clarifies that copies of objections to the Recommended Decision must be mailed to any party-in-interest who testified at length at the hearing. II.F.8.a.(2)(a).
- Transfers
  - Removal of transfer procedures regarding posting, notification and hearing that were inadvertently included in the most recent version of the Policies and Procedures
- Renewals
  - Written complaints about a liquor-licensed establishment that request denial of renewal must be received by 45 days prior to expiration of the license. Exception to this policy will be made only in extraordinary circumstances.
  - Due to staffing constraints, and the availability of the information at the licensee's business location, telephone or e-mail inquiries regarding license expiration dates will not be entertained.
  - No "en masse" testimony will be accepted at renewal hearings.
- Modifications
  - The due date for objections to major modifications will be no later than the first business day following the 20-day posting period
- Conversion from liquor-licensed drug store to a retail liquor store

- RNOs will be notified and have 20 days to submit objections. The deadline will be extended to 45 days upon request.
- Cabarets
  - Clarifies that live entertainment includes karaoke music or entertainment offered by a disc jockey. IX.
  - Clarifies RNO notification procedures, expands RNO notification area, basis of non-issuance, hearing procedures
  - Adds an entirely new section on Underage Patron Licenses at cabarets
- Special Events
  - Clarifies the obligations of special event permittees regarding the purchase of the liquor to be sold and the revenues generated from the event.
- Internal references to other sections corrected throughout.
- Minor reorganization for better flow.
- Minor rewrites.