Presentation Overview

- Myths Debunked
- History and Other Cities
- Outreach
- Proposed Concept
- Next Steps
Liquor Common Consumption: Myths Debunked

Denver will **NOT** become Bourbon Street
- Colorado Liquor Laws prioritize the licensed premises and accountability of license holder
- Community stakeholders helped us craft a model that is true to Denver values

Patrons will **NOT** be allowed to take alcohol anywhere they want
- Strict parameters in state statute and the proposed ordinance limit consumption areas
- Denver’s open container law would still be effective

Common Consumption will **NOT** be licensed without neighborhood support
- The proposed ordinance has strong protections for neighbors and neighborhood organizations
- Continued community input is built into proposed ordinance through rulemaking
Liquor Common Consumption: History

2011: State statute authorizes common consumption

2013 - 2016: Denver explores concept and monitors other jurisdictions

2017: As other jurisdictions experience success, Denver renews focus

2018 - 2019: EXL research, outreach, and policy development
Liquor Common Consumption: Other Cities

- Aurora
- Black Hawk
- Carbondale
- Central City
- Cripple Creek
- Edgewater
- Fort Collins
- Glendale
- Greeley
- Leadville
- Salida
- Telluride
Liquor Common Consumption: Outreach

**Internal**
- City Agency Directors and key City staff
- Considered and decided on high-level policy options

**External**
- Cluster Groups
- RNOs, Industry, BIDs, Tourism
- Heard initial feedback from each group

**Community**
- 15+ large and small community meetings to get more feedback
- RNO board meetings
- INC / INC ZAP
- Community Update Meetings

**Council**
- Council Briefings for previous and current members
- Updates @ past BIZ Committee meetings
- Constituent resources
Liquor Common Consumption: Proposed Concept

- Terminology
- Overview of Statutory Requirements
- Diagrams
- Overview of Proposed Ordinance Requirements
- Proposed Process
- Further Discussion Topics
**Common Consumption Area (CCA)**
- A designated area where patrons over the age of 21 can consume alcohol purchased from existing liquor-licensed establishments.
- Each CCA must be located within an ED.

**Entertainment District (ED)**
- An area of the city that is no larger than 100 acres and contains at least 20,000 sq. ft. of total liquor-licensed premises.
- Each ED must be approved by City Council.

**Promotional Association (PA)**
- A group of at least two liquor-licensed businesses that join together for purposes of applying for a CCA license.
- PAs must be certified by EXL before obtaining a CCA license.
The first PA/CCA applicant in an area will have to apply for a PA, CCA, and propose an ED.

Once City Council establishes an ED, other businesses are free to form PAs and apply for CCA licenses within that ED.

CCAs can look very different:
- Some may consist of kiosks or separate rooms in a larger, enclosed space;
- Some may be located in an alleyway shut off to traffic;
- Some may connect to several freestanding businesses.

Diagram: Entertainment Districts and CCAs
A CCA license differs from a special event license because it allows existing liquor-licensed establishments to sell alcohol at the event, rather than bringing in outside or temporary liquor licensees.

In this event example, patrons of the restaurants and bars may take their beverage into the CCA and consume there as they travel up and down the street. Patrons may also take their beverages into the Hat Store, the Dress Shop, and the Bookstore.

Dispensaries that neighbor CCAs cannot allow consumption of alcohol on their premises, and no consumption of marijuana may take place within a CCA.
# Overview of Statutory Requirements

## PA Requirements
- Must be certified by local licensing authority
- Must have board of directors
- Must have board member from each participating establishment
- Must file annual reports with local licensing authority
- Must carry liability insurance for the CCA

## CCA Requirements
- Area must be closed to motor traffic
- Must have safety and security plan
- Beverages must be in special cups with vendor’s name

## ED Requirements
- No larger than 100 acres in size
- No less than 20,000 square feet of liquor-licensed premises

## Municipal Requirements
- Locality must adopt enabling ordinance
- Locality must hold Needs and Desires hearing
### Overview of Proposed Ordinance Requirements

#### Pilot Program Features
- 5-year pilot
- No limit on number of EDs or CCAs
- Indoor and outdoor CCAs permitted
- Full-time and part-time CCAs permitted (part-time limited to 15 days per year)
- CCA License and PA Certification each valid for up to one year
- Not effective until 90 days after adoption of any rules (rule-making will solicit further public input)

#### Application Requirements
- PA, CCA, and ED information, map, and site plan
- Evidence of Community Support from RNO
- Parking and Transportation Plan
- Health and Sanitation Plan
- Safety and Security Plan
- Proof of PA liability insurance
- Any required permits

#### Operational Limitations
- CCA must be single, contiguous area
- No alcohol storage or sales in CCA or by non-licensed businesses
- Hours of operation must end **NO LATER** than 2:00 a.m. (may be earlier per GNA)
- CCA may not overlap with another CCA or liquor license
- CCA must have adequate signage and barriers
- Inspections required prior to operation

#### EXL Oversight
- EXL may refuse to issue license for failure to meet ordinance requirements
- EXL may refuse to issue, suspend, or revoke license for good cause (health, safety, welfare concerns)
- Modifications of PA board, CCA, and/or ED must be reviewed by EXL or City Council and may require new evidence of community support and additional public hearing

#### Other Major Features
- Public Needs and Desires hearing required for **ALL** applicants, 60 days after application, with posting for 30 days
- Noise ordinance applies
- Cabaret license required for CCAs with dancing and entertainment
- License may not be transferred to different location
- $250 application fee; $250 annual license fee
**Proposed Licensure Process**

- **Application**: Application will include materials regarding: PA Certification, CCA boundaries, and ED boundaries if needed.
- **Agency Review**: EXL will first do Quality Control check. Office of Special Events, PW, DPD, DFD, will also review the application.
- **Public Hearing**: Applicant will undergo a Needs and Desires hearing in EXL for PA certification and CCA licensure.
- **City Council Review**: If an ED is not already established, City Council will review and approve/deny the ED boundaries.
- **Inspections**: EXL and other agencies will conduct the necessary inspections.
- **License Issued**: Once ED is approved and all inspections are complete, EXL will certify the PA and issue the CCA license.
Further Discussion Topics

Topics for Rules and Regulations Discussion

- Application timelines and other rules specific to part-time CCAs
- Minimum amount of insurance PA is required to carry
- Requirements for safety + security plan, parking + transportation plan, and health + sanitation plan
- Issues that RNOs may address in Good Neighbor Agreements and place on CCA licenses
- Triggers for new evidence of community support and/or a new public hearing

Topics for Policies and Procedures Discussion

- Size of Designated Area
- Additional notification and posting requirements and guidelines
- Petitioning requirements and guidelines
- Procedures for requesting an evening hearing
Liquor Common Consumption: Next Steps

- **Fall 2019**: Consideration of ordinance
- **Winter 2019**: Rule Making Advisory Group
- **Early 2020**: Rules and HPPs adopted
- **Spring 2020**: Pilot program begins (90 days after rule adoption)
Sign up for our Liquor Bulletin to receive updates.
Questions?

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