Learn more about the proposed pilot program in Denver
Liquor Common Consumption: Outreach

Internal
- Talked to city agency directors
- Considered and decided on high-level policy options

External
- Met with cluster groups to get feedback
- RNOs, Industry, BIDs, Tourism

Community
- Community meetings to get more feedback
- RNO board meetings
- INC / INC ZAP
- Community Update Meeting

Council
- Council Briefings
- Updates at BIZ Committee
Liquor Common Consumption: Concept

Basics
• Amenity for place-making and community building
• Requested by community

Myths Debunked
• Will this look like Bourbon Street? No.
• Will this lead to drinking in the streets at all hours? No.
• Will patrons be allowed to take alcohol anywhere they want? No.
• Will my neighborhood be forced to do this? No.

Commitment
• EXL is committed to working together with community members and industry to craft a model that is true to Denver values.
Proposed Pilot Program:
Summary of Proposed Process for Licensure

**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.

*City Council Review only required for new EDs and ED modifications*
Proposed Pilot Program: Summary of Ordinance Requirements

- 5-year pilot program, with no limit on the number of EDs or CCAs
- Indoor and outdoor, full-time and part-time CCAs allowed
  - Part-time CCA’s will be limited to 15 days per calendar year (similar to Liquor and Marijuana Consumption special events)
- CCA hours of operation end absolutely no later than 2:00 a.m.
- Evidence of Community Support required upon application
- Public hearing required for all applicants
- Requirement for a corresponding cabaret license if allowing adult entertainment, live entertainment, or patron dancing; noise ordinance applies
- City Council has sole authority to create ED
### Proposed Pilot Program: Specific Ordinance Requirements

<table>
<thead>
<tr>
<th>Application Requirements</th>
<th>Promotional Association Information</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CCA site plan</td>
</tr>
<tr>
<td></td>
<td>ED detailed map (including boundaries, acreage, and square footage of liquor-licensed establishments)</td>
</tr>
<tr>
<td></td>
<td>Evidence of Community Support from an RNO</td>
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<tr>
<td></td>
<td>Health and Sanitation Plan</td>
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<td></td>
<td>Transportation Plan</td>
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<td></td>
<td>Security Plan</td>
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<tr>
<td></td>
<td>Proof of liability insurance</td>
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<td></td>
<td>Proposed hours of operation</td>
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<tr>
<td></td>
<td>Any additional permits or authorizations required (e.g., zoning, fire, or right-of-way permits)</td>
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</tbody>
</table>
### Proposed Pilot Program: Specific Ordinance Requirements (continued)

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirements</th>
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</thead>
</table>
| **Hearing Requirements**          | • Automatic requirement for Needs and Desires hearing-scheduled 60 days after application submitted  
• Required posting of hearing for 30 days  
• Notification information conforms with other liquor requirements  
• Defines party-in-interest (similar to liquor licenses)  
• Defines “good cause” that gives authority to refuse to issue the CCA license |
| **Transfer of Ownership**         | • Change in board of directors for PA must be approved by Director  
• Change in ownership of attached liquor licenses does not require re-certification of the PA |
| **Change or Modification to CCA and ED** | • Expansion or modifications of the ED will require City Council approval  
• Material and substantial changes to the CCA will require new evidence of community support and new public hearing. |
## Proposed Pilot Program: Specific Ordinance Requirements (continued)

<table>
<thead>
<tr>
<th>Causes for denial (CCA license and PA certification)</th>
<th>License can be denied if:</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>• Applicant fails to establish evidence of community support</td>
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<tr>
<td></td>
<td>• Applicant fails to provide evidence that the proposed procedures for security and admission will prevent underage consumption of alcohol</td>
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<td></td>
<td>• Proposed CCA premises are not a single, contiguous area</td>
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<td></td>
<td>• Proposed CCA premises overlaps with another CCA or other liquor licensed premise</td>
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<tr>
<td></td>
<td>• If the proposed area does not have adequate physical barriers to close the area to motor vehicle traffic and limit pedestrian access</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Term of Licenses; Renewals</th>
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<tbody>
<tr>
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<td>• Licenses valid for one year or a shorter, non-consecutive time if approved by the Director</td>
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<td></td>
<td>• Allows for renewal hearing upon discretion of the Director</td>
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</tbody>
</table>
**Proposed Pilot Program: Specific Ordinance Requirements (continued)**

| Unlawful Acts/ Disciplinary Actions | • Director is authorized to impose civil penalties with the same standards as utilized in the Colorado Liquor Code  
• Director has discretion to enter a summary suspension order  
• Unlawful to operate between 2am and 8am  
• Unlawful to change the CCA premises without approval from Director  
• Unlawful to sell or store alcohol in the CCA premises  
• Non-liquor linseed premises within the CCA cannot sell or serve alcohol on their premise  
• Unlawful to allow patrons to remove an alcohol beverage from the CCA |
| Effective Date and Sunset | • Effective 90 days from the adoption of rules  
• Repealed 5 years after effective date of ordinance |
**Proposed Pilot Program: Specific Ordinance Requirements (continued)**

<table>
<thead>
<tr>
<th>Fees</th>
<th>Application fees:</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>• CCA license: $250</td>
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<tr>
<td></td>
<td>• PA certification: $250</td>
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<tr>
<td></td>
<td>Annual fees:</td>
</tr>
<tr>
<td></td>
<td>• CCA license: $250</td>
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<tr>
<td></td>
<td>• PA certification: $250</td>
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<tr>
<td></td>
<td>License Amendment Fees:</td>
</tr>
<tr>
<td></td>
<td>• Modification (e.g., attaching new businesses): $150</td>
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<td></td>
<td>• PA structure change: $100</td>
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</tbody>
</table>
Proposed Pilot Program:
Summary of Rule topics to be considered during Rulemaking process

The following requirements will be considered during the rulemaking process (requires a public hearing):

• Application timeline
  o Setting a deadline for how far in advance an application must be submitted, for example 120 days

• Amount of insurance required

• Detailed requirements for plans that must be submitted with application:
  o Security plan
  o Parking and transportation plan
  o Health and sanitation plan

• Issues that GNAs may address and conditions that may be placed upon a CCA license

• Definition of material and substantial changes that would require a modification to the CCA, PA or ED
  o Will likely include attachment of a new liquor license to the CCA as a material and substantial modification
Proposed Pilot Program:
Summary of Procedural topics to be considered during Rulemaking process

The following requirements will be incorporated to the already existing Hearing Policies and Procedures in a section dedicated to EDs, CCAs, and PAs:

• How to determine the Designated Area for hearing notification and parties-in-interest testimony
• Petitioning requirements
• Additional notification and posting sign requirements
• Procedure for requesting an evening hearing
• Other issues identified by the community
Liquor Common Consumption: Next Steps

- **Spring 2020** (90 days after rule adoption)
  - Pilot program begins
- **Early 2020**
  - Rules and HPPs adopted
  - Rule Making Advisory Group
- **Fall 2019**
  - Consideration of ordinance
- **Winter 2019**
  - Continued Outreach
  - Pilot program begins
  - Rules and HPPs adopted