



DENVER

EXCISE & LICENSES

RULES GOVERNING COMMON CONSUMPTION AREAS

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Section 1 – Definitions

“*Attached Licensee*” means a liquor licensed premises that is attached to a licensed Common Consumption Area.

“*Common Consumption Area*” has the same meaning as set forth in D.R.M.C. § 6-11, and includes Temporary Common Consumption Areas.

“*Department*” means the Denver Department of Excise and Licenses.

“*Director*” means the Director of the Denver Department of Excise and Licenses.

“*Temporary Common Consumption Area*” means a common consumption area granted for a period of less than one (1) year.

Section 2 – Authority

Pursuant to the D.R.M.C. section 6-21, the Director may enact rules and regulations necessary for administering and enforcing the provisions of Article 1I, Chapter 6 relating to and affecting the licensing and operation of Common Consumption Areas. All Common Consumption Area licensees shall comply with these rules and regulations, in addition to any conditions placed on the license, stipulations, and any other city or state laws relating to and affecting the licensing and operation of Common Consumption Areas.

Section 3 – Health and Sanitation Plan

- 3.1 All applications for a Common Consumption Area shall include a health and sanitation plan that satisfies the following minimum requirements:
 - (i) A description of the retail food licenses at the location;
 - (ii) A description of the applicant’s emergency medical and disaster preparedness plan; and

- (iii) For any applicant applying for a permanent or temporary cabaret license, a description of any noise sources, such as amplified audio or mechanical noise, that will be utilized for the temporary consumption area, where they will be located, the direction they will face, how they will be set up and tore down, and a description for how neighbor complaints regarding noise will be mitigated.

3.2 Applications for a Temporary Common Consumption Area shall include a health and sanitation plan that satisfies the following minimum requirements:

- (i) A description of where restrooms will be made available in the Temporary Common Consumption Area;
- (ii) A description of where waste disposal, compost, and recycling receptacles will be made available within the Temporary Common Consumption Area and how receptacles will be removed; and
- (iii) A description of the applicant's plan for severe or adverse weather.

Section 4 – Parking and Transportation Plan

4.1 All applications for a Common Consumption Area shall include a parking and transportation plan that satisfies the following minimum requirements:

- (i) A description for how the common area will be made accessible to all patrons;
- (ii) A description of the proposed parking plan for the Common Consumption Area;
- (iii) A description of how patrons will be prevented from exiting the Common Consumption Area and driving under the influence of alcohol;
- (iv) A description of the public transportation options available near the Common Consumption Area and flow of traffic at to and from the Common Consumption Area;
- (v) A description of how you will ensure that parking will be available for residents during street closures; and
- (vi) A description of the physical barriers that will be used to close the area to motor vehicle traffic, limit pedestrian access, and clearly inform patrons of the boundaries of the consumption area.

Section 5 – Security and Admission Control Plan

5.1 An application for a Common Consumption Area shall include a security and admission control plan that satisfies the following minimum requirements:

- (i) Procedures for removal or ejection of intoxicated persons;
- (ii) Procedures for ensuring that alcohol beverages purchased from the Attached Licensees will not be removed from the Common Consumption Area;
- (iii) Procedures for ensuring that underage persons will not obtain alcohol beverages from within the Common Consumption Area;
- (iv) Procedures that will be used by all staff, vendors, and security personnel for differentiating between persons under and over the age of 21 at the point of purchase of an alcohol beverage; and
- (v) A description of the security personnel who will be staffing the event, including where security staff will be stationed throughout the area.

Section 6 – License Display Requirements

- 6.1 Certified promotional associations shall furnish copies of the Common Consumption Area license to each Attached Licensee.
- 6.2 Attached Licensees shall prominently display the Common Consumption Area license inside their premises alongside the Attached Licensee’s liquor license or special event permit.
- 6.3 Attached Licensee’s shall produce a copy of the Common Consumption Area license for inspection upon the request of law enforcement and state or City inspectors.
- 6.4 Attached Licensees shall not allow alcohol beverages to leave their licensed premises unless the license is prominently displayed.

Section 7 – Insurance

- 7.1 A promotional association shall maintain commercial general liability insurance with a minimum limit of one million dollars (\$1,000,000) combined single limit for bodily injury and property damage for each occurrence and name the City as an additional insured.
- 7.2 A promotional association shall submit current certificates of insurance at the time of initial application and annually with each application for renewal.
- 7.3 A promotional association shall not reduce, suspend, void, or cancel an insurance policy without prior written notice to the Department. Notice must be provided to the Department within 72 hours of any change to an insurance policy. The suspension, voiding, nonrenewal, cancellation or reduction of insurance shall be cause for automatic suspension of the license until the coverage shall be reinstated. All policies shall be kept in full force and effect for the term of the license.

Section 8 – Material and Substantial Changes, Alterations, or Modifications of Common Consumption Areas

- 8.1 After issuance of the license, a licensee shall make no physical change, alteration, or modification of the Common Consumption Area which materially or substantially alters the boundaries or the usage of the Common Consumption Area from the plans and specifications on file with the Department without an application to the Department and approval of the Director.

For purposes of this rule, a physical change, alteration, or modification of the Common Consumption Area which materially or substantially alter the boundaries or the usage of the Common Consumption Area shall include, but shall not be limited to, the following:

- (i) Any increase in the total size or capacity of the Common Consumption Area;
- (ii) The addition of a cabaret license to the Common Consumption Area;

- (iii) The addition or deletion of a patio, outdoor area, dance floor, or stage;
- (iv) The sealing off, creation of, or relocation of a common entryway, doorway, passage, or other such means of public ingress and/or egress, when such common entryway, doorway, or passage alters or changes the area in which alcohol beverages will be consumed in the Common Consumption Area; or
- (v) Any change in the common consumption area that would affect the basic character of the premises or the physical structure detailed in the latest approved plans and specifications on file with the Department, including changes that would require additional permits or approvals by other city agencies, as well changes that would substantially affect the implementation of the site and security plan, the health and sanitation plan, or the transportation plan for the Common Consumption Area.