Alcohol Special Event Permit Application Packet

Prepared by:
Arvada City Clerk’s Office
8101 Ralston Road
Arvada, CO 80002
720-898-7544
tcolvin@arvada.org
ALCOHOL SPECIAL EVENT APPLICATION CHECK-LIST

Name of Event: ___________________________ Date of Event: ________________

Name of Entity Applying for Special Event Permit: ___________________________

Contact for Event: (name) ___________________________ (cell phone) ________________

Contact for Event: (email) ___________________________

City of Arvada Special Event Permit Number: SPE__ - ________ Planner Contact: ___________________________

(Go to arvada.org/business/permits-and-applications/special-event-permits to apply or call 720-898-7435 for more details)

**Applicant Check List** (to be completed by the applicant and returned to the City Clerk’s Office)

- [ ] Application
- [ ] Diagram of the area to be licensed, outlined in a thick black line, where alcohol will be served and consumed, on an 8 ½” X 11” sheet of paper, showing dimensions, evidence of intended control (i.e., fencing, ropes, barriers, etc), entrances and exits
- [ ] Map of area (geographical/aerial)
- [ ] Copy of deed, lease or written permission from the land owner for the use of the premises (giving permission to hold the event AND permission to sell/serve liquor)
- [ ] Affidavit of character, sworn or affirmed by each officer of the organization and by the person in charge of the Special Event (one blank affidavit is included in the application packet – make as many copies as you need to complete the application)
- [ ] Articles of Incorporation
- [ ] Certificate of Good Standing (issued by the Secretary of State dated within the last two years)
- [ ] If charter – Charter and Articles of Incorporation of national organization
- [ ] If political candidate – attach copies of reports and statements that were filed with the Secretary of State (candidate affidavit)
- [ ] Contact the City of Arvada’s Finance Department at 720-898-7100 to see if you will need a sales and use tax license
- [ ] Fees / Check or money order for $50, per unique event application, made payable to the City of Arvada
- [ ] Additional Requirements or Documents Attached:

<table>
<thead>
<tr>
<th>City Check List (to be completed by the City)</th>
<th>Assigned SEAP # (to be completed by the City)</th>
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<tbody>
<tr>
<td>Date received</td>
<td>Gave customer “event” posters</td>
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<tr>
<td>Public hearing date</td>
<td>Send P, G &amp; H copy of application</td>
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<tr>
<td>Remonstrance date</td>
<td>(application and diagram)</td>
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<tr>
<td>Fees received type date deposited</td>
<td>Pictures of posting from Liquor Investigator</td>
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<tr>
<td>Make poster and posting log</td>
<td>Posting log returned (return by ________)</td>
</tr>
<tr>
<td>Gordon letter printed</td>
<td>Permit created and issued</td>
</tr>
<tr>
<td>______ routed, signed &amp; returned</td>
<td>Copy of permit to Liquor Investigator</td>
</tr>
<tr>
<td>Call customer / poster ready (hang by _____)</td>
<td>Copy of permit to applicant w/warning signs</td>
</tr>
<tr>
<td>Send Liquor Investigator copy of application (application and diagram)</td>
<td>Send notification to State (application)</td>
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APPLICATION FOR A SPECIAL EVENT ALCOHOL PERMIT

APPLICATION MUST BE SUBMITTED TO THE CITY OF ARVADA AT LEAST (30) DAYS PRIOR TO THE EVENT. THE PREMISES TO BE LICENSED MUST BE POSTED AT LEAST TEN (10) DAYS BEFORE A HEARING CAN BE HELD

IN ORDER TO QUALIFY FOR A SPECIAL EVENT PERMIT, APPLICANT MUST BE NONPROFIT AND ONE OF THE FOLLOWING (See Colorado Revised Status Title 12, Article 48)

- SOCIAL
- FRATERNAL
- PATRIOTIC
- POLITICAL
- MALT, VINOUS AND SPIRITUOUS LIQUOR
- RELIGIOUS INSTITUTION
- ATHLETIC
- CHARtered BRANCH, LODGE, OR CHAPter
- OF A NATIONAL ORGANIZATION OR SOCIETY
- PHILANTHROPIC INSTITUTION
- POLITICAL CANDIDATE
- MUNICIPALITY OWNING ARTS FACILITIES

TYPE OF SPECIAL EVENT PERMIT APPLICANT IS APPLYING FOR:

- MALT, VINOUS AND SPIRITUOUS LIQUOR $ 50.00 PER CONSECUTIVE EVENT DATE
- CITY PERMIT NUMBER
- ESTIMATED # IN ATTENDANCE

NAME OF EVENT

NAME OF APPLYING ENTITY / NON-PROFIT

MAILING ADDRESS OF APPLICANT (Street, City, State, Zip)

ADDRESS OF SPECIAL EVENT LOCATION (Street, City, State, Zip)

NAME

DATE OF BIRTH

HOME ADDRESS (Street, City, State, Zip)

PHONE NUMBER/E-MAIL

PRESIDENT/SECRETARY OF ORG.

EVENT MANAGER

HAS THE APPLICANT BEEN ISSUED A SPECIAL EVENT PERMIT THIS CALENDAR YEAR?

- No
- Yes

IF YES, HOW MANY DAYS?

IS PREMISES NOW LICENSED UNDER STATE LIQUOR OR BEER CODE?

- No
- Yes

IF YES, TO WHOM?

DOES THE APPLICANT HAVE POSSESSION OR WRITTEN PERMISSION FOR THE USE OF THE PREMISES TO BE LICENSED?

- Yes
- No

DESCRIBE EVENT ENTERTAINMENT, ACTIVITIES, RAFFLES, & SILENT AUCTIONS (note that bingo/raffles require a license from the Secretary of State’s Office)

LIST BELOW THE EXACT DATE(S) FOR WHICH APPLICATION IS BEING MADE FOR PERMIT (make sure to include set-up and tear-down time)

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OATH OF APPLICANT

I declare, under penalty of perjury in the second degree, that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge and that I understand the applicable laws, rules and regulations, both of the City of Arvada and the State of Colorado, regarding Special Event Permits and the responsibilities and liabilities associated with selling or serving alcohol.

SIGNATURE

TITLE

DATE

REPORT AND APPROVAL OF ARVADA LIQUOR LICENSING AUTHORITY

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provision of Title 12, Article 48, C.R.S., as amended. Therefore the Application is approved.

ARVADA LIQUOR LICENSING AUTHORITY

TITLE

DATE
AFFIDAVIT OF CHARACTER
SPECIAL EVENT ALCOHOL PERMIT APPLICATION

COUNTY OF JEFFERSON  )
) s.s.
STATE OF COLORADO  )

Name of Organization: ______________________________________________________

Position/Title in Organization: ______________________________________________

I, _____________________________________________, in the City of Arvada, County of Jefferson,
State of Colorado, declare that I have:

1. never been convicted of a felony in the State of Colorado, nor of a crime in any state
   which would be a felony in Colorado,

2. never been convicted of a violation of the Colorado Liquor Code, as specified in Title 12,
   Colorado Revised Statutes, 1973, as amended, or of any act in any state which would be a
   violation of the Colorado Liquor Code if done in Colorado, and

3. familiarity with the State and City liquor laws, including those related to illegal gambling.
   I understand that any violation of the liquor or gambling laws may result in the event
   being shut down and denial of future Special Event Alcohol Permits.

________________________________________________________________________

Signature

Subscribed and sworn before me this ______ day of ________________________, 20__.  

(SEAL)

____________________________________

Notary Public Signature
44-5-101. Special licenses authorized.  

(1) The state or local licensing authority, as defined in articles 3 and 4 of this title 44, may issue a special event permit for the sale, by the drink only, of fermented malt beverages, as defined in section 44-4-103, or the sale, by the drink only, of malt, spirituous, or vinous liquors, as defined in section 44-3-103, to organizations and political candidates qualifying under this article 5, subject to the applicable provisions of articles 3 and 4 of this title 44 and to the limitations imposed by this article 5.

(2) For purposes of this article 5, a state institution of higher education includes each principal campus of a state system of higher education.

44-5-102. Qualifications for permit

(1) A special event permit issued under this article 5 may be issued to:
(a) An organization, whether or not presently licensed under articles 3 and 4 of this title 44, that:
(I) Has been incorporated under the laws of this state for purposes of a social, fraternal, patriotic, political, educational, or athletic nature, and not for pecuniary gain;
(II) Is a regularly chartered branch, lodge, or chapter of a national organization or society organized for the purposes specified in subsection (1)(a)(I) of this section and is nonprofit in nature;
(III) Is a regularly established religious or philanthropic institution; or
(IV) Is a state institution of higher education;
(b) A political candidate who has filed the necessary reports and statements with the secretary of state pursuant to article 45 of title 1; or
(c) Any municipality, county, or special district.

(2) Repealed.

(3) Notwithstanding any law to the contrary, and subject to this article 5, the state or local licensing authority may issue a special event permit to a state agency, the Colorado wine industry development board, created in section 35-29.5-103, or an instrumentality of a municipality or county that promotes:
(a) Alcohol beverages manufactured in the state; or
(b) Tourism in an area of the state where alcohol beverages are manufactured.
44-5-103. Grounds for issuance of special permits.
   (1) (a) A special event permit may be issued under this section notwithstanding the fact that the special event is to be held on premises licensed under the provisions of section 44-3-403, 44-3-404, 44-3-413 (3), 44-3-418, 44-3-419, or 44-3-424. The holder of a special event permit issued pursuant to this subsection (1) is responsible for any violation of article 3 of this title 44.
   (b) If a violation of this article 5 or article 3 of this title 44 occurs during a special event wine festival and the responsible licensee can be identified, such licensee may be charged and the appropriate penalties may apply. If the responsible licensee cannot be identified, the state licensing authority may send written notice to every licensee identified on the permit applications and may fine each the same dollar amount. The fine shall not exceed twenty-five dollars per licensee or two hundred dollars in the aggregate. No joint fine levied pursuant to this subsection (1)(b) shall apply to the revocation of a limited wineries license under section 44-3-601.
   (2) Nothing in this article 5 shall be construed to prohibit the sale or dispensing of malt, vinous, or spirituous liquors on any closed street, highway, or public byway for which a special event permit has been issued.

44-5-104. Fees for special permits.
   (1) Special event permit fees are:
      (a) Ten dollars per day for a malt beverage permit;
      (b) Twenty-five dollars per day for a malt, vinous, and spirituous liquor permit.
   (2) All fees are payable in advance to the department for applications for special event permits submitted to the state licensing authority for approval.

44-5-105. Restrictions related to permits.
   (1) Each special event permit shall be issued for a specific location and is not valid for any other location.
   (2) A special event permit authorizes sale of the beverage or the liquors specified only during the following hours:
      (a) Between the hours of five a.m. of the day specified in a malt beverage permit and until twelve midnight on the same day;
      (b) Between the hours of seven a.m. of the day specified in a malt, vinous, and spirituous liquor permit and until two a.m. of the day immediately following.
   (3) The state or a local licensing authority shall not issue a special event permit to any organization for more than fifteen days in one calendar year.
   (4) No issuance of a special event permit shall have the effect of requiring the state or local licensing authority to issue such a permit upon any subsequent application by an organization.
   (5) Sandwiches or other food snacks shall be available during all hours of service of malt, spirituous, or vinous liquors, but prepared meals need not be served.

44-5-106. Grounds for denial of special permit.
   (1) The state or local licensing authority may deny the issuance of a special event permit upon the grounds that the issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws.
   (2) Public notice of the proposed permit and of the procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least ten days before approval of the permit by the local licensing authority.

44-5-107. Applications for special permit.
   (1) Applications for a special event permit shall be made with the appropriate local licensing authority on forms provided by the state licensing authority and shall be verified by oath or affirmation of an officer of the organization or of the political candidate making application.
(2) In addition to the fees provided in section 44-5-104, an applicant shall include payment of a fee established by the local licensing authority, not to exceed one hundred dollars, for both investigation and issuance of a permit. Upon approval of any application, the local licensing authority shall notify the state licensing authority of the approval, except as provided by subsection (5) of this section. The state licensing authority shall promptly act and either approve or disapprove the application. In reviewing an application, the local licensing authority shall apply the same standards for approval and denial applicable to the state licensing authority under this article 5.

(3) The local licensing authority shall cause a hearing to be held if, after investigation and upon review of the contents of any protest filed by affected persons, sufficient grounds appear to exist for denial of a permit. Any protest shall be filed by affected persons within ten days after the date of notice pursuant to section 44-5-106 (2). Any hearing required by this subsection (3) or any hearing held at the discretion of the local licensing authority shall be held at least ten days after the initial posting of the notice, and notice thereof shall be provided to the applicant and any person who has filed a protest.

(4) The local licensing authority may assign all or any portion of its functions under this article 5 to an administrative officer.

(5) (a) A local licensing authority may elect not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of an application for a special event permit. The local licensing authority is required only to report to the liquor enforcement division, within ten days after it issues a permit, 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.

(b) A local licensing authority electing not to notify the state licensing authority shall promptly act upon each application and either approve or disapprove each application for a special event permit.

(c) The state licensing authority shall establish and maintain a website containing the statewide permitting activity of organizations that receive permits under this article 5. In order to ensure compliance with section 44-5-105 (3), which restricts the number of permits issued to an organization in a calendar year, the local licensing authority shall access information made available on the website of the state licensing authority to determine the statewide permitting activity of the organization applying for the permit. The local licensing authority shall consider compliance with section 44-5-105 (3) before approving any application.

44-5-108. Exemptions.

An organization otherwise qualifying under section 44-5-102 shall be exempt from the provisions of this article 5 and shall be deemed to be dispensing gratuitously and not to be selling fermented malt beverages or malt, spirituous, or vinous liquors when it serves, by the drink, fermented malt beverages or malt, spirituous, or vinous liquors to its members and their guests at a private function held by the organization on unlicensed premises, so long as any admission or other charge, if any, required to be paid or given by any such member as a condition to entry or participation in the event is uniform as to all without regard to whether or not a member or such member's guest consumes or does not consume such beverages or liquors. For purposes of this section, all invited attendees at a private function held by a state institution of higher education shall be considered members or guests of the institution.
CITY OF ARVADA MUNICIPAL CODE

CHAPTER 6 - ALCOHOLIC BEVERAGES
ARTICLE III. - SPECIAL EVENT PERMITS

Sec. 6-141. - Required; application and issuance by local licensing authority.
(a) It shall be unlawful for any organization to sell or serve, by the drink only, malt beverages, or malt, spirituous or vinous liquors, at a special event, unless such organization shall have acquired a special event permit from the local licensing authority for said special event, in accordance with the statutes of the state.
(b) Pursuant to C.R.S. §§ 12-48-101 through 108, and Colorado Code of Regulations 1 C.C.R. 203-2, §§ 47-1000 through 1020, the city clerk may administratively approve and issue a special event permit for the sale or service, by the drink only, of fermented malt beverages, or of malt, spirituous or vinous liquors, to qualified organizations and political candidates. In issuing such special event permits, the city clerk shall otherwise comply with all applicable statutory requirements.
(c) Pursuant to C.R.S. § 12-48-107(5)(a), the local licensing authority has elected not to notify the state licensing authority to obtain the state licensing authority's approval or disapproval of an application for a special event permit. The local licensing authority will, within ten days after issuance of a special event permit, report the name of the permitted organization, the address of the permitted location, and the permitted dates of alcohol beverage service, to the state liquor enforcement division.
(d) A special event permit shall authorize a permittee to sell or serve specified type(s) of alcoholic beverages at the location and for the duration of time specified on the issued special event permit.
(e) An applicant shall file a complete application for a special event permit with the city accompanied by the fee set forth in section 6-142 not less than 30 days prior to the special event. The city may, for good cause, waive the time requirement set forth in this section (d), but shall not waive any time requirements specified in Article 48 of Title 12, C.R.S.
(f) If one or more parties in the designated neighborhood associated with the special event permit application objects to the issuance of a special event permit, the matter will be scheduled for a hearing before the local authority at its next regularly scheduled meeting. The local authority shall consider such objection(s) and, pursuant to C.R.S. §§ 12-48-101 through 108, and the Colorado Code of Regulations 1 C.C.R. 203-2 §§ 47-1000 through 1020, may either approve or deny the special event permit application.
(g) If the city clerk denies an application for a special event permit and the applicant wishes to contest the denial, the applicant shall be entitled to a hearing before the local authority at its next regularly scheduled meeting. The local authority shall consider whether the city clerk properly applied the law pursuant to C.R.S. §§ 12-48-101 through 108, and the Colorado Code of Regulations 1 C.C.R. 203-2, §§ 47-1000 through 1020, and whether to uphold the decision of the city clerk or approve the special event permit application.

(Ord. No. 4653, § 1, 8-20-2018)
Sec. 6-142. - Special event permit application fee.  
As permitted by C.R.S. § 12-48-107(2), a fee of $50.00 shall accompany each application for a special event permit to defray the local licensing authority's costs to investigate the application and issue the special event permit.  
(Ord. No. 4653, § 1, 8-20-2018)

Sec. 6-143. - Special event permit application documents.  
An applicant shall fully complete an application packet for a special event permit as required by the local licensing authority and applicable statutes. No application for a special event permit shall be accepted by the city until such application has been properly completed in all respects as determined by the city clerk.  
(Ord. No. 4653, § 1, 8-20-2018)

Secs. 6-144—6-150. - Reserved.