

CITY OF BOULDER

New Liquor / Transfer / Change of Class – Application Packet

Instructions & Guide: Pages 2-13

Application: Pages 14-49

Last Edited: June 2024

City of Boulder

Liquor License Application Workflow Summary

Step 1: LOCAL ZONING LAWS REVIEW APPROVAL* (see next page for details) – You cannot apply for a liquor license prior to zoning approval.

Step 2: CITY OF BOULDER BUSINESS LICENSE – Please visit the following link to apply for a business license:

<https://boulderonlinetax.gentaxcpc.net/TAP/>

Step 3: REQUEST SECURE METHOD TO UPLOAD APPLICATION – Fill out the Liquor License Submissions Form:

<https://bldr.fyi/boulderapplicationform>. Once submitted, you will receive an email within one business day with instructions on how to submit your application and pay the fees

Step 4: PAY FEES AND UPLOAD APPLICATION DOCUMENTS – Log in to your [Customer Self Service Portal](#) to pay city fees and upload application documents. Applications will not be reviewed until documents are uploaded. State application fees will be paid through their portal later in the application process.

Step 5: LIQUOR LICENSE APPLICATION REVIEW – Your application will be assigned to a licensing staff member who will work with you through the entire application process. This staff member will begin review of the application and email you with next steps within *four business days* of assignment. Applications are assigned to staff members every Tuesday.

Step 6: CBI and FBI RESULTS RECEIVED FOR ALL 10% OWNERS AND ALL MANAGERS/OFFICERS – Your staff member will reach out to you if additional information is required for this step

Step 7: HEARING POSTER PICKED UP AND POSTED* – City Licensing will prepare a hearing poster which must be picked up by the applicant and posted at least 10 days prior to the scheduled hearing. Instructions will be emailed when poster is prepared.

Step 8: PETITION MATERIALS DUE* – Applicant should use City Licensing supplied materials to complete door to door petitioning and provide those results to City Licensing 10 days prior to the hearing. The assigned staff member will provide the deadline date.

Step 9: PRELIMINARY FINDINGS SENT TO APPLICANT* – City Licensing will email an application summary to the applicant that will also be provided in the public hearing packet.

Step 10: BLA HEARING* – a public hearing before the Beverage Licensing Authority will be scheduled. The BLA makes final decisions on liquor applications and liquor violations. Visit our website for more information about the BLA: <https://bouldercolorado.gov/government/board-commission/beverage-licensing-authority>. *Interpreter services are available for BLA hearings. If you require an interpreter for the hearing, please email a request to licensingonline@bouldercolorado.gov.*

Step 11: APPROVAL SENT TO STATE LIQUOR ENFORCEMENT DIVISION – If the BLA approves the application or if the application is approved administratively, the local approval will be sent to the Liquor Enforcement Division (LED).

Step 12: STATE LED ISSUES STATE LICENSE TO CITY – If LED approves the application, the state license will be sent to City Licensing for issuance.

Step 13: PREMISE INSPECTION AND LICENSE ISSUANCE – A premise inspection will be conducted once all requirements of the liquor licenses are met. If inspection is passed, the liquor license will be issued directly after the premise inspection. Your licensing staff member will provide you with or information.

**Only required for New and Permanent Modifications*

Timeline: New and Permanent Modifications will be scheduled for boundary setting at the first available hearing once a legally complete application has been received with the application hearing the following month.

LOCAL ZONING LAWS REVIEW APPROVAL

Zoning confirmation for Beverage Licensing Authority (BLA) is a review process to determine if the proposed use is appropriate in the proposed location. The review will evaluate the proposed operating characteristics and identify any potential additional reviews that are required. An approved Zoning Confirmation for BLA constitutes all zoning requirements have been met with the proposed use.

There are two documents required to satisfy the Zoning Review:

1. Approved Administrative Review Application (ADR) & Zoning Confirmation for BLA
2. Approved diagram stamped by Planning and Development

A request for a Zoning Confirmation for BLA is made by submitting the Administrative Review Application & Zoning Confirmation Application. The applications can be found at the following links:

- Administrative Review Application and Zoning Confirmation Application (organized alphabetically, use search function or scroll to bottom for Zoning Confirmation Application): <https://bouldercolorado.gov/plan-develop-applications-and-forms>

Application form(s), required application materials and fees are due by 10 a.m. on the application deadline. Review the [Online Development Review Application Guide](#) for more information.

CITY OF BOULDER
BEVERAGE LICENSING AUTHORITY
CHECKLIST OF REQUIRED DOCUMENTS FOR LIQUOR LICENSES
FOR NEW LICENSES, TRANSFER OF OWNERSHIP, AND CHANGE OF CLASS APPLICATIONS
FOR CITY AND STATE LICENSING AUTHORITIES REGARDING ALL FMB AND LIQUOR APPLICATIONS

All scanned documents must be properly executed, each question answered, each document fully complete, and must correspond EXACTLY with the name of the license applicant. All scanned documents must be typed or legibly printed in ink.

APPLICANT SHOULD ALSO RETAIN A COMPLETE LICENSE APPLICATION COPY FOR YOUR RECORDS.

You must schedule an appointment to submit your legally complete application prior to or on the deadline date. Please call at least 3 to 4 days ahead before you wish to submit because appointment times on deadline dates tend to fill up fast. Call 303-441-4192, then select "Liquor Licenses" to schedule or email licensingonline@bouldercolorado.gov.

I. ZONING LOCATION ANALYSIS DOCUMENTS

[] Zoning/Planning Confirmation Form- Conclusions of Zoning Analysis must match the answers to city questions and what is shown on the floor plan exactly for the license application to be accepted. City zoning must approve the liquor license use at the proposed location in order to retain license application. If they do not, then City Licensing will return the application.

II. CITY REVIEW APPLICATION DOCUMENTS

[] CITY COMPLETES AT APPLICATION IN-TAKE MEETING: Application Review Checklist

[] CITY COMPLETES FOR BOUNDARY SETTING HEARING IF REQUIRED: Neighborhood and License Application Details letter for BLA Boundary Setting Deliberations

[] CITY COMPLETES FOR BLA APPLICATION HEARING: Preliminary Findings for License Application

[] CITY COMPLETES AFTER APPLICATION HEARING FOR APPROVAL OR DENIAL: Findings of Fact and BLA Ruling Order

[] City License Application- fully complete and signed, with answers to questions 1 to 20 attached

- Operating hours and Seating totals should match those on the below Zoning form

[] Other Documents: Menus, Drink lists, Chef Resumes, News Articles, Training Certificates, Change of Class letter for license surrender agreement

[] City Transfer License Form accepting license as is with all debts, obligations, and violation history in place- fully completed and signed

[] City Financial Statement- total dollar amount required for application and build out should match total amount disclosed and detailed

[] Statement of Food Service to acknowledge required food percentage for hotel-restaurants and brew pub licenses only

[] Statement of Training to acknowledge city condition for alcohol server training within 90 days of opening or hiring

[] City Occupation Tax Registration- Liquor occupation tax is an on-going, yearly city tax based on license class held and will be invoice every six months in January and July

[] City Business License for Sales Tax- if not already licensed or preferable applied for on-line for with city area

[] City Temporary License for Transfer Applications- For transfers only, all requirements must be met on temporary application for temporary to be issued. Temporary licenses must be requested not later than thirty days from the transfer application filing and city licensing has up to five business days to issue temporary licenses

[] Neighborhood Boundary Information and Company Name for Petitioning- Door to door petition are required for permanent modifications, changes of location, changes of class, and new liquor license applications. City licensing will provide the petition materials that are required to be used and neighborhood petition submissions are due at least nine days prior to application hearings.

III. STATE REQUIRED DOCUMENTS

- [] State Application- complete all appropriate sections and authorized representative must sign
- In the state application, does the Applicant name of the individual or business entity listed in question 2 match exactly the name of the Tenant in question 14, and also the Tenant/Lessee in the submitted Lease?
 - Has the Applicant gone through the page 2 state checklist to ensure that all of those documents are attached and state questions are addressed?
 - For question 13, if Applicant holds other liquor licenses, is a detailed list attached?
 - In question 15, should this question be complete if the landlord or a manager gets paid a percentage based on sales in the Lease Agreement or Management Agreement?
 - In question 21, does the total percentage of all owners disclosed or on attached list total 100% ownership?

[] Floor Plan- must be on 8 ½ x11 paper, use highlighter to outline all area that you want included in your liquor license, include separate pages for each floor that will be licensed, and include both overall premise and room dimensions, doors, walls, all locked and unlocked alcohol storage, points of sale, all bars, tables and chairs, booths, patios with means of control (fencing, stationed employees, landscaping), books and records marked as to where alcohol receipts will be stored on the premise, and for restaurants, the kitchen should be marked as “kitchen” with kitchen equipment listed.

[] State “Affidavit of Transfer and Statement of Compliance” - fully complete and signed

[] Alcohol Inventory if any alcohol was transferred for Transfers of Ownership

☐ Wholesaler Affidavits for Transferor's Suppliers to confirm payment status for Transfers of Ownership- due by the time of BLA Transfer application hearing

☐ Purchase Agreement or other document indicating final sale of business

☐ Notes and Loans- executed by all parties and dollar amounts matching the total disclosed

☐ Ownership flow chart in complex business ownerships- will be requested for multi-tiered owners

☐ Individual History Reports (IHR) for all 10% Interest Owners & all Officers/Partners/Managing Members- all background should be disclosed and explained so it matches results discovered

- Under question 14 (a)- this will be the total purchase price or total initial investment and will be the same for all owners or investors
- Under question 14 (b)- this should list the value of the individual owner's personal contribution to the whole purchase or investment and the totals of individual owner's answers should match total the whole dollar amount disclosed
- Under question 14 (c)- this should list personal source of funds and where the funds for contribution are held (checking, savings, home loan, brokerage),
- Under question 14 (d)- this should list all applicant business entity financial investment,
- Under question 14 (e)- this should list all promissory notes and loans, including construction reimbursement by landlords and each entry should explain the repayment terms

☐ Fingerprint Cards- these must be on standard FBI cardstock cards and Boulder Police can print

☐ Registered Manager's IHR Form and Fingerprint cards for Hotel-Restaurants, Taverns, and Lodging and Entertainment-if manager listed on the state application is not already an owner, officer or manager, \$75 state & city fee is also required

{ } Applicant Entity Documents For Corporations

- ☐ Articles of Incorporation
- ☐ Certificate of Good Standing
- ☐ Certificate of Authority for foreign companies
- ☐ Minutes of the First Meeting
- ☐ List of all officers, directors, and stockholders

{ } Applicant Entity Documents For Partnerships

- ☐ Partnership Agreement
- ☐ Dissolution of Partnership for prior owners

{ } Applicant Entity Documents For Limited Liability Companies

- ☐ Articles of Organization
- ☐ Certificates of Good Standing
- ☐ Certificate of Authority- if foreign company
- ☐ LLC Operating Agreement

{ } Applicant Entity Documents For Sole Proprietors

[] Lawful Presence Affidavit

[] Copy of Valid Driver's License

IV. POSSESSORY DOCUMENTS

[] Deed or Leased for Proposed Licensed Premise- properly executed by all parties with all attachments and must be on 8 ½ x 11 paper. Tenant name must match applicant's name exactly.

[] Assignment of Lease- fully executed by all parties and on 8 ½ x11 paper.

[] Lease Amendment- if required to change tenant name to match applicant name or list address

[] Management Agreements -if any, be prepared to explain why applicant is not joint licensee

V. CITY AND STATE LICENSE AND APPLICATION FEES

[] State Application and License Fees (payable to Colorado Department of Revenue): \$ _____

[] City Application and License Fees (made payable to City of Boulder): \$ _____

[] Background Investigation Fees (payable to City of Boulder and \$38.50 each): \$ _____

1= \$38.50 2= \$77.00 3= \$115.50 4= \$154.00 5= \$192.50 6= \$231.00 7= \$269.50 8= \$308.00

[] Application Copy or Scan Fee for lack of Required Applications, Possessory Applications, or Lack of Complete Scan on Thumb Drive (\$50 staff work charge): \$ _____

VI. OTHER REQUIRED ITEMS AND WHEN WILL BE DELIVERED:

Liquor Enforcement Division Fee Schedule

Application Fees

Type	Local Fee	State Fee
Application Fee	up to \$1,000.00	\$1,100.00
Application Fee with Concurrent Review	up to \$1,000.00	\$1,200.00
Application Fee Transfer of Ownership	\$750.00	\$1,100.00
Application Fee Additional Liquor-Licensed Drugstore	up to \$1,000.00	\$1,100.00
Application Fee Additional Liquor-Licensed Drugstore with Concurrent Review	up to \$1,000.00	\$1,200.00
Application Fee Manager Permit	N/A	\$100.00
Application Late Renewal Fee (Not more than 90-days of license expiration date; may be assessed during state review)	\$500.00	\$500.00
Application Reissue Fee (More than 90-days but less than 180-days of license expiration date)	\$500.00	\$500.00
Application Reissue Fine (More than 90-days but less than 180-days of license expiration date)	\$25.00 a day beyond 90-day expiration date	\$25.00 a day beyond 90-day expiration date
Annual Renewal Application Fee (Effective July 1, 2023 - June 30, 2024)	\$100.00	\$125.00
Annual Renewal Application Fee (Effective July 1, 2024)	\$100.00	\$250.00
Annual Art Gallery Fee	\$100.00	\$0.00

Retail License Fees

Type	Local Fee City	State Fee City	Local Fee County	State Fee County
Art	\$41.25	\$308.75	\$41.25	\$308.75
Beer & Wine	\$48.75	\$351.25	\$63.75	\$436.25
Brew Pub	\$75.00	\$750.00	\$75.00	\$750.00
Club	\$41.25	\$308.75	\$41.25	\$308.75
Distillery Pub	\$75.00	\$750.00	\$75.00	\$750.00
Hotel & Restaurant	\$75.00	\$500.00	\$75.00	\$500.00
Hotel Restaurant with one Optional Premises	\$75.00	\$600.00	\$75.00	\$600.00
Each Additional OP License	N/A	\$100.00	N/A	\$100.00
Resort Complex	\$75.00	\$500.00	\$75.00	\$500.00
Campus Liquor Complex	\$75.00	\$500.00	\$75.00	\$500.00
Related Facility – Resort Complex	\$15.00	\$160.00	\$15.00	\$160.00
Related Facility – Campus Liquor Complex	\$15.00	\$160.00	\$15.00	\$160.00
Liquor-Licensed Drugstore	\$22.50	\$227.50	\$37.50	\$312.50

Retail License Fees (Continued)

Type	Local Fee City	State Fee City	Local Fee County	State Fee County
Lodging & Entertainment	\$75.00	\$500.00	\$75.00	\$500.00
Optional Premises	\$75.00	\$500.00	\$75.00	\$500.00
Racetrack	\$75.00	\$500.00	\$75.00	\$500.00
Retail Gaming Tavern	\$75.00	\$500.00	\$75.00	\$500.00
Retail Liquor Store	\$22.50	\$227.50	\$37.50	\$312.50
Tavern	\$75.00	\$500.00	\$75.00	\$500.00
Vintner's Restaurant	\$75.00	\$750.00	\$75.00	\$750.00
Fermented Malt Beverage On Premises	\$3.75	\$96.25	\$7.50	\$117.50
Fermented Malt Beverage and Wine	\$3.75	\$96.25	\$7.50	\$117.50
Fermented Malt Beverage On/Off Premises	\$3.75	\$96.25	\$7.50	\$117.50

Local and State Issued Permit Fees

Type	Local Fee City	Local Fee County	State Fee
Retail Establishment Permit (Art Gallery)	\$3.75	\$3.75	\$93.25
Bed & Breakfast Permit	\$3.75	\$3.75	\$71.25
Each Resort-Complex-Related Facility Permit	\$15.00	\$15.00	\$160.00
Special Event Permit: Malt, Vinous and Spirituous Liquor	\$100.00	\$100.00	\$25.00 Per Day
Special Event Permit: Fermented Malt Beverage	\$100.00	\$100.00	\$10.00 Per Day
Mini Bar Permit with Hotel Restaurant License	\$48.75	\$48.75	\$276.25

State License Fees

Type	Fee
Limited Winery License	\$70.00
Manufacturer's License (Distillery or Rectifier): On or after August 10, 2016, and before August 10, 2017	\$675.00
Manufacturer's License (Distillery or Rectifier): On or after August 10, 2017	\$300.00
Manufacturer's License (Brewery)	\$300.00
Manufacturer's License (Winery)	\$300.00
Nonresident Manufacturer's License (Malt Liquor)	\$300.00
Importer License	\$300.00
Wholesaler's Liquor License: On or after August 10, 2016, and before August 10, 2017	\$800.00
Wholesaler's Liquor License: On or after August 10, 2017	\$550.00
Wholesaler's Beer License	\$550.00
Public Transportation (dining, club or parlor car; plane; bus or other vehicle)	\$75.00

Additional Fees

Type	Local Fee	State Fee
Alternating Proprietor Licensed Premises	N/A	\$150.00
Change of Location	Not to exceed \$750.00	\$150.00
Change of Trade Name/Corporate Name	N/A	\$50.00
Corporate/LLC Change (Per Person)	\$100.00	\$100.00**
Duplicate License	N/A	\$50.00
Add Optional Premises to Hotel & Restaurant License	N/A	\$100.00
Limited Liability Change	N/A	\$100.00
Manager Registration (Hotel & Restaurant; Tavern; Lodging & Entertainment; Campus Liquor Complex)	\$30.00	\$30.00
Master File Background	N/A	\$250.00
Master File Location Fee (Per Location)	N/A	\$25.00
Modification of Premises	N/A	\$150.00
Sole Source Registration	N/A	\$100.00

State Only Issued Permits

Type	Fee
Winery Direct Shipper Permit	\$100.00
Wine Packaging Permit	\$200.00
Festival Permit Application	\$50.00
Branch Warehouse or Warehouse Storage Permit	\$100.00
Retail Warehouse Storage Permit	\$100.00
Manager Permit Registration (Liquor-Licensed Drugstore)	\$100.00
Non-Contiguous Location (Winery/Limited Winery) Application	\$125.00
Non-Contiguous Location (Winery/Limited Winery) Renewal	\$100.00
Takeout and Delivery Permit Application	\$11.00
Takeout and Delivery Permit Renewal	\$11.00

**** The State Fee of \$100 only pertains to state-only issued licenses and does not apply to licenses issued by local licensing authorities**

Colorado Liquor Retail License Application

*** Note that the Division will not accept cash**

Paid by Check Date Uploaded to MoveIt

Paid Online

New License

New-Concurrent

Transfer of Ownership

State Property Only

Master file

- **All answers must be printed in black ink or typewritten**
- **Applicant must check the appropriate box(es)**
- **Applicant should obtain a copy of the Colorado Liquor and Beer Code: [SBG.Colorado.gov/Liquor](https://sbgl.leg.state.co.us/Liquor)**

Applicant is applying as a/an

Individual

Limited Liability Company

Association or Other

Corporation

Partnership (includes Limited Liability and Husband and Wife Partnerships)

Applicant Name If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation

FEIN Number

State Sales Tax Number

Trade Name of Establishment (DBA)

Business Telephone

Address of Premises (specify exact location of premises, include suite/unit numbers)

City

County

State

ZIP Code

Mailing Address (Number and Street)

City or Town

State

ZIP Code

Email Address

If the premises currently has a liquor or beer license, you **must** answer the following questions.

Present Trade Name of Establishment (DBA)

Present State License Number

Present Class of License

Present Expiration Date

Section A Nonrefundable application fees*

Application Fee for New License	\$1,100.00
Application Fee for New License with Concurrent Review	\$1,200.00
Application Fee for Transfer.....	\$1,100.00

Section B Liquor License Fees*

Add Optional Premises to H & R	\$100.00 X	Total
Add Sidewalk Service Area.....		\$75.00
Arts License (City).....		\$308.75
Arts License (County)		\$308.75
Beer and Wine License (City).....		\$351.25
Beer and Wine License (County).....		\$436.25
Brew Pub License (City).....		\$750.00
Brew Pub License (County).....		\$750.00
Campus Liquor Complex (City)		\$500.00
Campus Liquor Complex (County)		\$500.00
Campus Liquor Complex (State)		\$500.00
Club License (City)		\$308.75
Club License (County).....		\$308.75
Distillery Pub License (City).....		\$750.00
Distillery Pub License (County)		\$750.00
Hotel and Restaurant License (City).....		\$500.00
Hotel and Restaurant License (County)		\$500.00
Hotel and Restaurant License with one optional premises (City).....		\$600.00
Hotel and Restaurant License with one optional premises (County).....		\$600.00

Section B Liquor License Fees* (Continued)

Liquor–Licensed Drugstore (City).....	\$227.50
Liquor–Licensed Drugstore (County).....	\$312.50
Lodging & Entertainment - L&E (City)	\$500.00
Lodging & Entertainment - L&E (County)	\$500.00
Manager Registration - H & R	\$30.00
Manager Registration - Tavern	\$30.00
Manager Registration - Lodging & Entertainment	\$30.00
Manager Registration - Campus Liquor Complex	\$30.00
Optional Premises License (City)	\$500.00
Optional Premises License (County).....	\$500.00
Racetrack License (City)	\$500.00
Racetrack License (County)	\$500.00
Resort Complex License (City).....	\$500.00
Resort Complex License (County).....	\$500.00
Related Facility - Campus Liquor Complex (City).....	\$160.00
Related Facility - Campus Liquor Complex (County)	\$160.00
Related Facility - Campus Liquor Complex (State)	\$160.00
Retail Gaming Tavern License (City).....	\$500.00
Retail Gaming Tavern License (County).....	\$500.00
Retail Liquor Store License - Additional (City).....	\$227.50
Retail Liquor Store License - Additional (County).....	\$312.50
Retail Liquor Store (City)	\$227.50

Section B Liquor License Fees* (Continued)

Retail Liquor Store (County).....	\$312.50
Tavern License (City).....	\$500.00
Tavern License (County).....	\$500.00
Vintners Restaurant License (City).....	\$750.00
Vintners Restaurant License (County).....	\$750.00

Questions? Visit: [SBG.Colorado.gov/Liquor](https://sbg.colorado.gov/Liquor) for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number

Liability Date

License Issued Through (Expiration Date)

Total

\$

Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. **All** documents must be properly signed and correspond with the name of the applicant exactly. **All** documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

Questions? Visit: [SBG.Colorado.gov/Liquor](https://sbg.colorado.gov/Liquor) for more information

Items submitted, please check all appropriate boxes completed or documents submitted

I. Applicant information

Applicant/Licensee identified

State sales tax license number listed or applied for at time of application

License type or other transaction identified

Return originals to local authority (additional items may be required by the local licensing authority)

All sections of the application need to be completed

Master file applicants must include the Application for Master File form DR 8415 and applicable fees to this Retail License Application

II. Diagram of the premises

No larger than 8½" X 11"

Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.)

Separate diagram for each floor (if multiple levels)

Return originals to local authority (additional items may be required by the local licensing authority)

Kitchen - identified if Hotel and Restaurant

Bold/Outlined Licensed Premises

III. Proof of property possession (One Year Needed)

Deed in name of the applicant (or) (matching Applicant Name provided on page 1) date stamped / filed with County Clerk

Lease in the name of the applicant (or) (matching Applicant Name provided on page 1)

Lease assignment in the name of the applicant with proper consent from the landlord and acceptance by the applicant

Other agreement if not deed or lease. (matching Applicant Name provided on page 1)

IV. Background information (DR 8404-I) and financial documents

Complete DR 8404-I for each principal (individuals with more than 10% ownership, officers, directors, partners, members)

Fingerprints taken and submitted to the appropriate Local Licensing Authority through an approved State Vendor. Master File applicants submit results to the State

Do not complete fingerprint cards prior to submitting your application.

The Vendors are as follows:

IdentoGO

Appointment Scheduling Website: <https://uenroll.identogo.com/workflows/25YQHT>

Phone: 844-539-5539 (toll-free)

IdentoGO FAQs: <https://www.colorado.gov/pacific/cbi/identification-faqs>

State Liquor Code for IdentoGO: 25YQHT

Colorado Fingerprinting

Appointment Scheduling Website: <http://www.coloradofingerprinting.com/cabs/>

Phone: 720-292-2722 833-224-2227 (toll free)

State Liquor Code for Colorado Fingerprinting: C030LIQI

Purchase agreement, stock transfer agreement, and/or authorization to transfer license

List of all notes and loans (Copies to also be attached)

V. Sole proprietor/husband and wife partnership (if applicable)

Form DR 4679 Lawful Presence Affidavit

Copy of State issued Driver's License or Colorado Identification Card for each applicant

VI. Corporate applicant information (if applicable)

Certificate of Incorporation

Certificate of Good Standing

Certificate of Authorization if foreign corporation (out of state applicants only)

VII. Partnership applicant information (if applicable)

Partnership Agreement (general or limited).

Certificate of Good Standing

VIII. Limited Liability Company applicant information (if applicable)

Copy of articles of organization

Certificate of Good Standing

Copy of Operating Agreement (if applicable)

Certificate of Authority if foreign LLC (out of state applicants only)

IX. Manager registration for Hotel and Restaurant, Tavern, Lodging & Entertainment, and Campus Liquor Complex licenses when included with this application

\$30.00 fee

If owner is managing, no fee required

1. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?..... Yes No
 2. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):
 - a. Been denied an alcohol beverage license?..... Yes No
 - b. Had an alcohol beverage license suspended or revoked?..... Yes No
 - c. Had interest in another entity that had an alcohol beverage license suspended or revoked?..... Yes No

If you answered yes to a, b or c above, explain in detail on a separate sheet.
 3. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years?..... Yes No
- If "yes", explain in detail.

4. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?..... Yes No

or

Waiver by local ordinance? Yes No

Other

5. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... Yes No

6. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,0000? **NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS..... Yes No

For additional Retail Liquor Store only.

a. Was your Retail Liquor Store License issued on or before January 1, 2016?.... Yes No

b. Are you a Colorado resident?..... Yes No

7. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any **current** financial interest in said business including any loans to or from a licensee..... Yes No

8. Does the applicant, as listed on line 2 of this application, **have legal possession of the premises by ownership**, lease or other arrangement?..... Yes No

Ownership Lease Other (Explain in detail)

a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires
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b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question on page 9..... Yes No

c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8½" X 11".

9. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.

Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	
Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	
Last Name		First Name	
Date of Birth (MM/DD/YY)	FEIN or SSN Number	Interest/Percentage	

Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

10. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
Has a local ordinance or resolution authorizing optional premises been adopted?... Yes No

Number of additional Optional Premise areas requested. (See license fee chart)
For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

11. Liquor Licensed Drugstore (LLDS) applicants, answer the following:
a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise?..... Yes No

If "yes" a copy of license must be attached.

12. Club Liquor License applicants answer the following: Attach a copy of applicable documentation

- | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?..... | Yes | No |
| b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?..... | Yes | No |
| c. How long has the club been incorporated?..... | | |
| d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?..... | Yes | No |

13. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:

- | | | |
|-----------------------------------------------------------------------------------------------------------------------------|-----|----|
| a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)..... | Yes | No |
|-----------------------------------------------------------------------------------------------------------------------------|-----|----|

14. Campus Liquor Complex applicants answer the following:

- | | | |
|---------------------------------------------------------------------------------------------------------------------------|-----|----|
| a. Is the applicant an institution of higher education?..... | Yes | No |
| b. Is the applicant a person who contracts with the institution of higher education to provide food services?..... | Yes | No |

If "yes" please provide a copy of the contract with the institution of higher education to provide food services.

15. For all on-premises applicants.

- a.** For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.

Last Name of Manager

First Name of Manager

- 16. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.....**

Yes No

Name

Type of License

Account Number

17. Related Facility - Campus Liquor Complex applicants answer the following:

- a.** Is the related facility located within the boundaries of the Campus Liquor Complex?..... Yes No

If yes, please provide a map of the geographical location within the Campus Liquor Complex.

If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.

- b.** Designated Manager for Related Facility - Campus Liquor Complex

Last Name of Manager

First Name of Manager

18. Tax Information.

- a.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?..... Yes No

- b.** Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?..... Yes No

If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the applicant**. **All persons listed below** must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.

Name

Date of Birth (MM/DD/YY)

Street Address

City

State

ZIP Code

Position

%Owned

Name

Date of Birth (MM/DD/YY)

Street Address

City

State

ZIP Code

Position

%Owned

Name

Date of Birth (MM/DD/YY)

Street Address

City

State

ZIP Code

Position

%Owned

Name

Date of Birth (MM/DD/YY)

Street Address

City

State

ZIP Code

Position

%Owned

Name

Date of Birth (MM/DD/YY)

Street Address

City

State

ZIP Code

Position

%Owned

** If applicant is owned 100% by a parent company, please list the designated principal officer on above.

** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)

** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer and Wine Code which affect my license.

Printed Name

Title

Authorized Signature

Date (MM/DD/YY)

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)

For Transfer Applications Only - Is the license being transferred valid?..... Yes No

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

Fingerprinted

Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

Date of inspection or anticipated date

Will conduct inspection upon approval of state licensing authority

Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?	Yes	No
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----	----

Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?	Yes	No
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----	----

NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.

Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?	Yes	No
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----	----

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

Local Licensing Authority for	Telephone Number	Town, City
		County

Printed Name	Title
--------------	-------

Signature	Date (MM/DD/YY)
-----------	-----------------

Printed Name	Title
--------------	-------

Signature	Date (MM/DD/YY)
-----------	-----------------

Tax Check Authorization, Waiver, and Request to Release Information

I,

am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter

“Waiver”) on behalf of

(the “Applicant/Licensee”)

to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee’s liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. (“Liquor Code”), and the Colorado Liquor Rules, 1 CCR 203-2 (“Liquor Rules”), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and is duly authorized employees, to act as the Applicant’s/Licensee’s duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business)

Social Security Number/Tax Identification Number

Home Phone Number

Business/Work Phone Number

Street Address

City

State ZIP Code

Printed name of person signing on behalf of the Applicant/Licensee

Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) Date Signed

Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).



**CITY OF BOULDER
BEVERAGE LICENSING AUTHORITY
ACKNOWLEDGEMENT OF TRANSFER OF LICENSE SUBJECT TO
PAST, PENDING, OR POSSIBLE FUTURE DISCIPLINARY ACTION**

I, _____ (Person's Name) on behalf of _____ (Business Applicant Name) am the applicant for transfer of the liquor license currently issued to _____ at the licensed premise location of _____.

I understand and agree that if the transfer of the license is approved, the license may continue to be subject to any restrictions and conditions currently on the license. I understand that if there are any days of suspension currently held in abeyance against the license, the license may continue to be subject to those days in abeyance even after the transfer.

I further understand that if any incidents, which could subject the license to disciplinary action, have either occurred or will occur on the licensed premise prior to approval of the transfer, the license may still be subject to possible disciplinary actions that could affect the license, even after the transfer, only where myself, my agents(s) and/or my employees either knew or should have known of the incidents.

I understand that it is my sole responsibility to inquire and investigate all possible sources of information to learn of any past, ongoing or possible future disciplinary actions that could result in any revocation, suspension, or fines being imposed. These sources include, but are not limited to the inquiry and investigation of the current licensee, manager(s), employees of the licensed premise, and the review of the public records of the Colorado Department of Revenue, the Boulder City Licensing Division, the Boulder Police Department, the Boulder District Court, the Boulder Municipal Court, and/or the Boulder County Court Criminal Divisions.

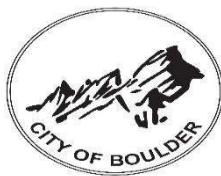
I also understand that I have the option to withdraw the application for the transfer of the license and file an application for the issuance of a new liquor license. Should a new liquor license be issued, that license would NOT be subject to any disciplinary action based upon incidents prior to the issuance of the new license.

Applicant

Trade Name

Authorized Signature

Print Name, Title, and Date



CITY OF BOULDER
LIQUOR LICENSE APPLICATION

This application must be filed in duplicate with the City of Boulder Licensing Office.
All Information must be printed legibly in ink or typewritten.

Applicant's Business Name: _____

Trade Name: _____

Phone Number: _____ Contact Person: _____

Business Address: _____

Mailing Address: _____

Property Owner: _____ Phone Number (local): _____

Property Manager: _____ Phone Number (local): _____

Property Manager's Mailing Address: _____

Registered Manager or Manager of Record: _____ Phone Number (local): _____

The Applicant hereby applies to the City of Boulder Beverage Licensing Authority (BLA) for the following city liquor license and pays the following fees:

Type of Application (fee):

- | | |
|-------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> New License: \$1,000.00 | <input type="checkbox"/> Transfer of Ownership: \$750.00 |
| <input type="checkbox"/> Change of Location: \$750.00 | <input type="checkbox"/> Temporary License for Transfer: \$100.00 |
| <input type="checkbox"/> Change in Class: \$750.00 | |

Type of License (fee):

- | | |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Hotel-Restaurant: \$75.00 | <input type="checkbox"/> Tavern: \$75.00 |
| <input type="checkbox"/> Hotel-Restaurant w/ Optional Premise: \$75.00 | <input type="checkbox"/> Retail Liquor Store: \$22.50 |
| <input type="checkbox"/> Beer and Wine: \$48.75 | <input type="checkbox"/> Brew Pub: \$75.00 |
| <input type="checkbox"/> Club: \$41.25 | <input type="checkbox"/> Arts: \$41.25 |
| <input type="checkbox"/> Resort Complex: \$75.00 | <input type="checkbox"/> Liquor Licensed Drug Store: \$22.50 |
| <input type="checkbox"/> Race Track: \$75.00 | <input type="checkbox"/> Lodging & Entertainment: \$75.00 |
| <input type="checkbox"/> Vintner's Restaurant: \$75.00 | <input type="checkbox"/> Distillery Pub: \$75.00 |
| <input type="checkbox"/> Fermented Malt On-Premise: \$3.75 | <input type="checkbox"/> Fermented Malt Off-Premise: \$3.75 |
| <input type="checkbox"/> Bed and Breakfast Permit: \$125.00 Total | <input type="checkbox"/> Art Gallery Permit: \$103.75 Total |
| <input type="checkbox"/> Manager Registration- if separate from owners (H&R and Tavern): \$75.00 | |

Total Fees: \$ _____

ALL APPLICANTS MUST ANSWER THESE 21 QUESTIONS (PLEASE ATTACH A SHEET IF MORE SPACE IS NECESSARY):

- 1) Describe the nature of the proposed establishment and the target market (i.e. restaurant, tavern, live music, sports bar, families, college students). *Please attach a food and drink menu for the BLA.*

- 2) What are the proposed hours and days of operation for this establishment?

- 3) What is the seating capacity of this establishment?

- 4) Have you applied for an "occupation load" for the interior and exterior space from the Boulder Fire Department?

- 5) Do you have an emergency plan for your business (exit locations, fire suppression etc.)?

- 6) How many individuals will be employed at this proposed establishment and how many will be full-time vs part-time?

- 7) Describe each owner's past training and experience in the sale and service of alcohol, including any special or certified training received.

- 8) Describe your proposed Registered Manager or Manager of Record's past training and experience in the sale and service of alcohol, including any special or certified training received.

- 9) Beside state-approved Responsible Vendor training classes which are a condition of city licensure, what other types of training are proposed for the employees in the safe and legal sale and service of alcohol beverages?

- 10) What policies and procedures do you have in place to determine a patron's level of intoxication?

- 11) What policies and procedures do you have in place to refuse service to a patron?

- 12) Describe any other types of training or operating procedures that employees will be following in the day to day operations of this proposed establishment.

13) What methods will be used in checking identification for proper age of patrons (at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol (hand stamp, wrist band, etc.)?

14) What types of entertainment will be offered, if any, at this establishment (i.e. music, pool, dance floor etc.)?

15) Do you plan to have any exterior amplified sound?

16) What types of security, if any, will be provided at this establishment?

17) What time will your kitchen close each night? Describe your food plans after your kitchen closes.

18) What is the estimated ratio of food to alcohol sales at this establishment?

19) If you have an outside patio, what additional means of control (added staff, fencing, sightline, etc.) will you employ?

20) Have you included your written alcohol policy with your application? If not, when will it be available? For assistance with an alcohol policy you may contact the Responsible Association of Retailers on our website.

21) If you plan on hosting a "private party", what extra measures will you take regarding security, staffing, and control of noise and alcohol service? A "private party" is described as, "an event where there is a single contact person who represents group of people who are gathering for social and/or business reasons, then event continues after 10PM, there will be both underage and of-age people present, and there will be enough people to constitute an occupancy capacity of 75% or greater."

Applicant must complete Oath on page 4 of this application.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application, my answers, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the State of Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date



CITY OF BOULDER
FINANCIAL DISCLOSURE STATEMENT

The Applicant hereby agrees that any knowingly false or incomplete answer to the following questions shall constitute cause for the suspension or revocation for the license applied for. Applicant further agrees to notify the City of Boulder Beverage Licensing Authority via the City Licensing Office of any changes in the financing of this business should any changes occur during the period of the pending application and the period for which this license is issued.

Please attach all Purchase Agreements, Notes, Loans, Gift Letters and Bank Statements. Amounts must match information provided in the DR8404 Individual History Reports.

All Information must be printed legibly in ink or typewritten.

Applicant's Business Name: _____

Trade Name: _____

Business Address: _____

Phone Number: _____ Contact Person: _____

Mailing Address: _____

Other Liquor Licensed Establishments that the owners, principals, or managers of the Applicant now holds:

If Applicant is a corporation, partnership, or LLC, names of all persons purchasing stock or membership shares:

Is this a new or existing business: _____

If a new business, state approximate investment amount: \$ _____

Where will these funds come from? _____

If an existing business, state the purchase price including inventory: \$ _____

Where will these funds come from: _____

If cash is to be invested, please complete the following information (attach an additional page if needed):

All person(s) or business entities investing: _____

All Investor Addresses: _____

All Investment Amounts: _____

All Sources of Investment: _____

If loans are to be obtained, please complete the following information (attach an additional page in needed):

Name of Lender: _____

Address of Lender: _____

Type of Loan: _____

Loan Amount: \$ _____

Security: _____

Term of Obligation: _____

Business Operating Bank Account Information

What Bank will the business account be maintained at: _____

What name will the account be under? _____

Who will be authorized to sign on the account? _____

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application, my answers, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the State of Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- ☐ Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- ☐ Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: ☐ Licensee ☐ Applicant

- ☐ Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- ☐ Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- ☐ No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this _____ day of _____, 20 ____.

Seller:

Buyer:

Licensee & License Number

Applicant

Trade name

Trade name

Signature

Signature

Position

Position

Print Name

Print Name

From State Liquor Enforcement Division Bulletin dated June 17, 2016:

“All Retail Licensees

- (d) The state or a local licensing authority shall not approve a transfer of ownership under this subsection (1) until the applicant files with the local licensing authority confirmation from each wholesaler licensed under this article 3 that has sold alcohol beverages to the transferor that the wholesaler has been paid in full for all alcohol beverages delivered to the transferor. (section 44-3-303(1)(d), C.R.S.)”

As such, please see next page which is the State LED’s Wholesaler Affidavit for Compliance. These Affidavits must be completed by each supplier of alcohol who has been an alcohol supplier to the seller/transferor in the context of a Transfer of Ownership application and provided to City Licensing as part of the Transfer of Ownership application packet.

Please note that in most cases these Wholesaler Affidavit’s need not be completed before a Temporary License may be issued by City Licensing but the completed and signed Affidavits must be supplied to City Licensing before the Beverage Licensing Authority’s Transfer Application hearing.

Wholesaler Affidavit of Compliance

Section 44-3-303(1)(d), C.R.S.

Wholesaler Licensee Name (If an LLC; partnership; corporation or name of corporation)			License Number	
Trade Name of Establishment/Doing Business As (DBA)			Phone Number	
Physical Address	City	State	ZIP	
Email Address				
Transferor Retailer Licensee Name			License Number	
Trade Name of Establishment/Doing Business As (DBA)			Phone Number	
Physical Address	City	State	ZIP	
<p>The above wholesaler affirms that all alcohol beverages delivered to the above transferor retailer are:</p> <p><input type="checkbox"/> Paid in Full (only for the purposes of complying with section 44-3-303(1)(d), C.R.S.)</p> <p>Note: If Paid in full is selected, the wholesaler may no longer extend credit to the transferee or transferor until the local and state licensing authorities have approved the transfer of the liquor license.</p> <p><input type="checkbox"/> Not Paid in Full</p>				
Wholesaler:				
Signature	Print	Title	Date	

Food Service Requirements

Fermented Malt Beverage Licenses:

Fermented malt Beverage Licensees are not obligated to serve food at any time.

On-Premises Liquor Licenses:

Club licensees, Arts licensees, Optional premises licensees, and Public Transportation System licensees are not obligated to serve food at any time.

Hotel and Restaurant licensees must have full meals available until 8:00 p.m. everyday, and snacks and sandwiches after 8:00 p.m. Food sales must provide at least 25% of the gross income from the sale of food and beverages.

Brew Pubs must serve meals and must derive 15% of the on-premises gross sales from the sale of food.

Taverns, Gaming Taverns, and Beer and Wine licensees must have sandwiches and snacks available during operating hours.

Racetracks are required to have food available during hours of operation.

When food is required to be served, it must be available wherever alcoholic beverages are served.

Off-premises Liquor Licenses:

Liquor stores are prohibited from the sale of food items except those approved by the State Licensing Authority that are prepackaged, labeled, directly related to the consumption of liquor, and are sold in containers up to 16 ounces for the purpose of cocktail garnish. Liquor-licensed Drug stores are not subject to prohibitions or requirements regarding sale of food items.

Valid Proof of Age

- Colorado law **does not** require that licensed establishments selling FMB, wine, and spirits, check identification for proof of age.
- Colorado law **does not** prohibit underage persons from entering and remaining in licensed establishments.
- Colorado law **does not** require persons to carry proof of age.
- Colorado law **does** prohibit any licensed establishment from selling or serving any alcohol beverages to an underage person.
- Licensees should always check proof of age if there is the slightest doubt of the customer's actual age. If no acceptable proof of age is available, no service should be provided.

Identification

The following forms of identification (see Regulation 47-912) may be relied upon by licensees to show proof of age. Note that each such ID has a photo and a description of the bearer:

1. An operator's, chauffeur's or similar type driver's license containing a picture, and date of birth, issued by any state, within the United States, or any U.S. Territory, or any foreign country including Canada or Mexico.
2. An identification card issued by any state for the purpose of proof of age in accordance with C.R.S. 42-2-302 and 42-2-303.
3. Military identification card.
4. A passport.
5. An alien registration card.
6. A valid employment authorization document issued by the U.S. Department of Homeland Security.
7. A valid consular identification card from any foreign country.

If a licensee reasonably relies on one of the above ID's for proof of age, that licensee's liquor license cannot be suspended or revoked for sale to a minor. If, however, a licensee relies on any other type of ID, his license can still be suspended or revoked if the customer with the ID turns out to be underage. Licensees need not take chances, and they should only accept one of the five types of proper ID's above. Persons without proper ID can always be refused service of alcohol.

False Identification

Licensees are permitted under CRS 44-47-901(5)(a)(II) to confiscate suspected false or fraudulent identification. Confiscated identification must be turned over to a state or local law enforcement agency within 72 hours. The following are some methods which can be used to detect false ID's:

1. Ask for a second piece of identification.
2. Put a flashlight behind a Colorado driver's license to spot alterations.
3. Check for an extra layer of lamination.
4. Look at both sides of an ID for alterations.

Liquor and Marijuana Licensing Fingerprinting

The City of Boulder Licensing Division has changed their fingerprinting procedures in response to Senate Bill 17-189.

The Colorado Bureau of Investigations (CBI) has implemented a new process beginning September 24, 2018: Colorado Applicant Background Services (CABS).

To use this service, you will need to go online to one of the state approved vendors to register, schedule your appointment, and pay for your own fingerprinting.

These vendors are selected and trained specifically by the CBI and will be the only locations where civil fingerprinting services will now be available.

The vendor services will be located throughout the state, which is intended to increase applicants' ability to obtain fingerprints in a timely manner. Fingerprints will be submitted electronically, which will allow results to take only hours for processing instead of days or weeks.

In order to receive your City of Boulder specific codes to register/schedule with CABS, you must first book your application intake appointment with city licensing staff by calling 303-441-4192.

Once confirmed, we will email you your unique codes for the CABS vendor.

Please make sure you retain your receipt or confirmation of fingerprinting as this will replace the print card proof you will need to submit with your city application at your appointment.

The City of Boulder has chosen the following CABS vendor:

IDEMIA - IdentoGO
<https://www.idemia.com>

Please direct further questions about registration, services, and locations to your CABS vendor.

Privacy Act Statement

This privacy act statement is located on the back of the [FD-258 fingerprint card](#).

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

As of 03/30/2018

See Page 2 for Spanish translation.

Declaración de la Ley de Privacidad

***Esta declaración de la ley de privacidad se encuentra al dorso del
FD-258 tarjeta de huellas digitales.***

Autoridad: La adquisición, preservación, e intercambio de huellas digitales e información relevante por el FBI es autorizada en general bajo la 28 U.S.C. 534. Dependiendo de la naturaleza de su solicitud, la autoridad incluye estatutos federales, estatutos estatales de acuerdo con la Pub. L. 92-544, Órdenes Ejecutivas Presidenciales, y reglamentos federales. El proveer sus huellas digitales e información relevante es voluntario; sin embargo, la falta de hacerlo podría afectar la terminación o aprobación de su solicitud.

Propósito Principal: Ciertas determinaciones, tal como empleo, licencias, y autorizaciones de seguridad, podrían depender de las investigaciones de antecedentes basados en huellas digitales. Se les podría proveer sus huellas digitales e información relevante/ biométrica a la agencia empleadora, investigadora, o responsable de alguna manera, y/o al FBI con el propósito de comparar sus huellas digitales con otras huellas digitales encontradas en el sistema Next Generation Identification (NGI) del FBI, o su sistema sucesor (incluyendo los depósitos de huellas digitales latentes, criminales, y civiles) u otros registros disponibles de la agencia empleadora, investigadora, o responsable de alguna manera. El FBI podría retener sus huellas digitales e información relevante/biométrica en el NGI después de terminar esta solicitud y, mientras las mantengan, sus huellas digitales podrían continuar siendo comparadas con otras huellas digitales presentadas a o mantenidas por el NGI.

Usos Rutinarios: Durante el procesamiento de esta solicitud y mientras que sus huellas digitales e información relevante/biométrica permanezcan en el NGI, se podría divulgar su información de acuerdo a su consentimiento, y se podría divulgar sin su consentimiento de acuerdo a lo permitido por la Ley de Privacidad de 1974 y todos los Usos Rutinarios aplicables según puedan ser publicados en el Registro Federal, incluyendo los Usos Rutinarios para el sistema NGI y los Usos Rutinarios Generales del FBI. Los usos rutinarios incluyen, pero no se limitan a divulgación a: agencias empleadoras gubernamentales y no gubernamentales autorizadas responsables por emplear, contratar, licenciar, autorizaciones de seguridad, y otras determinaciones de aptitud; agencias de la ley locales, estatales, tribales, o federales; agencias de justicia penal; y agencias responsables por la seguridad nacional o seguridad pública.

A partir de 30/03/2018

Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

Notice: This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business		Home Phone Number	Cellular Number			
2. Your Full Name (last, first, middle)		3. List any other names you have used				
4. Mailing address (if different from residence)		Email Address				
5. List current residence address. Include any previous addresses within the last five years. (Attach separate sheet if necessary)						
Street and Number		City, State, Zip		From	To	
Current						
Previous						
6. List all employment within the last five years. Include any self-employment. (Attach separate sheet if necessary)						
Name of Employer or Business		Address (Street, Number, City, State, Zip)		Position Held	From	To
7. List the name(s) of relatives working in or holding a financial interest in the Colorado alcohol beverage industry.						
Name of Relative		Relationship to You		Position Held		Name of Licensee
8. Have you ever applied for, held, or had an interest in a Colorado Liquor or Beer License, or loaned money, furniture, fixtures, equipment or inventory to any licensee? (If yes, answer in detail.)						<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Have you ever received a violation notice, suspension, or revocation for a liquor law violation, or have you applied for or been denied a liquor or beer license anywhere in the United States? (If yes, explain in detail.)						<input type="checkbox"/> Yes <input type="checkbox"/> No

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) ☐ Yes ☐ No

11. Are you currently under probation (supervised or unsupervised), parole, or completing the requirements of a deferred sentence? (If yes, explain in detail.) ☐ Yes ☐ No

12. Have you ever had any professional license suspended, revoked, or denied? (If yes, explain in detail.) ☐ Yes ☐ No

Personal and Financial Information

Unless otherwise provided by law, the personal information required in question #13 will be treated as confidential. The personal information required in question #13 is solely for identification purposes.

13a. Date of Birth		b. Social Security Number		c. Place of Birth		d. U.S. Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No	
e. If Naturalized, state where				f. When		g. Name of District Court	
h. Naturalization Certificate Number		i. Date of Certification		j. If an Alien, Give Alien's Registration Card Number		k. Permanent Residence Card Number	
l. Height	m. Weight	n. Hair Color	o. Eye Color	p. Gender	q. Do you have a current Driver's License/ID? If so, give number and state. <input type="checkbox"/> Yes <input type="checkbox"/> No # _____ State _____		

14. Financial Information.

a. Total purchase price or investment being made by the applying entity, corporation, partnership, limited liability company, other.
\$ _____

b. List the total amount of the **personal** investment, made by the person listed on question #2, in this business including any notes, loans, cash, services or equipment, operating capital, stock purchases or fees paid. \$ _____

* If corporate investment only please skip to and complete section (d)

** Section b should reflect the total of sections c and e

c. Provide details of the personal investment described in 14b. You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Account Type	Bank Name	Amount

d. Provide details of the corporate investment described in 14 (a). You must account for all of the sources of this investment. (Attach a separate sheet if needed)

Type: Cash, Services or Equipment	Loans	Account Type	Bank Name	Amount

e. Loan Information (Attach copies of all notes or loans)

Name of Lender	Address	Term	Security	Amount

Oath of Applicant

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature	Print Signature	Title	Date
----------------------	-----------------	-------	------

Affidavit - Restrictions On Public Benefits

I, _____, swear or affirm under penalty of perjury under the laws of the State of Colorado that **(check one)**:

- ☐ I am a United States citizen.
- ☐ I am not a United States citizen but I am a Permanent Resident of the United States.
- ☐ I am not a United States citizen but I am lawfully present in the United States pursuant to Federal law.
- ☐ I am a foreign national not physically present in the United States.

I understand that this sworn statement is required by law because I have applied for a public benefit. I understand that state law requires me to provide proof that I am lawfully present in the United States prior to receipt of this public benefit. I further acknowledge that making a false, fictitious, or fraudulent statement or representation in this sworn affidavit is punishable under the criminal laws of Colorado as perjury in the second degree under Colorado Revised Statute 18-8-503 and it shall constitute a separate criminal offense each time a public benefit is fraudulently received.

Signature

Date (MM/DD/YY)

Floor Plans Requirements for Liquor licensed premises according to BLA Rules of Procedure Section 3-3

Section 3-3 Plans & Specifications

The applicant shall file at the time of application plans and specifications for the interior of the building if the building to be occupied is in existence at the time. If the building is not in existence, the applicant shall file a plot plan and a detailed sketch for the interior and submit an architect's drawing of the building to be constructed.

Subsection 3-3-1 Plans & Specifications

All plans, specifications and detailed sketches or drawings shall be to scale on 8-1/2" x 11" paper and shall show the floor plan and layout of the interior of the building where the license is sought to be exercised.

If a liquor or fermented malt beverage on-premise license is applied for, the plans and specifications shall show, as a minimum, the following:

- (A) A separate page for each level or floor to be licensed;
- (B) Walls, partitions, entrances and exits;
- (C) Dimensions of the premises;
- (D) Clearly identify the nearest streets;
- (E) Indicate the North direction;
- (F) Clearly identify the bar(s);
- (G) Clearly identify where alcohol shall be stored;
- (H) Clearly identify any patio(s), if applicable;
- (I) Identify the type of barrier surrounding the patio, if applicable;
- (J) All tables and chairs;
- (K) List the total seating capacity and,
- (L) Where books and records will be stored.

If a hotel-restaurant license is applied for, plans and specifications shall, in addition to the above, show the following:

- (M) The total floor area where meals shall be served;
- (N) Location of all bar counters;
- (O) Size and dimension of the kitchen and other food preparation areas;
- (P) Location, number and kinds of ranges, stoves or ovens, refrigerators, food lockers, dishwashers, sinks and restrooms; and
- (Q) Location and dimension of food storage areas, and any other fixtures and equipment to be installed and used in connection with the preparation and serving of meals.

What Constitutes a licensed premises

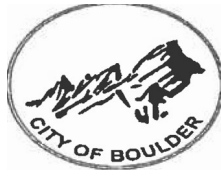
Within the Colorado Liquor Code, "licensed premises" means the premises specified in an application for a license which are owned or in possession of the licensee within which such licensee is authorized to sell, dispense, or serve alcoholic beverages. The licensee must submit a diagram of the licensed premises at the time of application. The diagram should be on an 8-1/2"x 11" piece of paper, it may be hand drawn using a ruler; it does not have to be to scale but should state the outside dimensions of the structure. Additionally, the various rooms should be labeled with details of storage and serving areas, such as coolers, the bar, entrances, exits and passages.

The licensed premises must be clearly indicated. If located in a shopping center or "strip center" provide only a diagram of the area to be licensed, not the entire shopping center. If an establishment has several floors, a diagram should be submitted for each floor if they are substantially different. However, if the floors are essentially the same, such as might be the case in a hotel, then one diagram of the main floor accompanied with an additional diagram of a typical guest floor, stating that there are "x" number of similar floors will be satisfactory.

For someone who has never made a diagram of a licensed premises, it may be helpful to think of the lines of delineation as solid walls. With this in mind, it should be noted that alcohol must be stored within the licensed premises and that a "Hotel and Restaurant Liquor License" must also have a fully operational kitchen within the licensed premises. Keep in mind, that if an area is not part of the licensed premises, no alcohol can ever be in that area. Therefore, a licensed premises' rooms and/or passages must connect.

The licensee must at all times have legal possession of the licensed premises through ownership, lease or other written arrangement which must only be in the name of the licensee. Additionally, a licensed premises must also qualify under other laws and regulations such as zoning, health and fire codes.

Once an establishment is granted a license, the licensee may not materially or substantially alter the licensed premises without prior written approval from both the local and state licensing authorities. To "alter" means: any increase or decrease in the capacity of the establishment; moving, adding or increasing the size of a bar; the sealing off, creation of, or relocation of doors or passages. In short, a licensee may not change or modify the premises in such a way that would affect the basic character or physical structure as it was previously approved, unless new approval is obtained.



CITY OF BOULDER
STATEMENT OF TRAINING

The Applicant hereby states that they understand the importance of being familiar with and complying with the Colorado Liquor Code, Colorado Beer Code and State of Colorado Liquor Regulations.

Therefore, with respect to the Applicants' owners, managers, and all other employees who will have any connection or involvement with liquor or fermented malt beverages on the subject licensed premises of this application, the Applicant states the following:

All employees involved in the service of alcohol, including without limitation, managers, clerks, bartenders, and wait staff, shall attend a state-certified Responsible Vendor alcohol service class within two (2) months from the approval of this license. New employees shall take a class within two (2) months of their hiring date. Any employees participating in a Tastings at a retail liquor store liquor licensed location must have already completed a state-certified Responsible Vendor alcohol service class at the time of the Tasting. Training Certification must be renewed and must remain current for employees involved in the service or sale of alcohol in Boulder liquor licensed locations.

The Applicant agrees that the above mentioned training shall be a continuing condition of holding the license if the Beverage Licensing Authority approves this application.

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date



CITY OF BOULDER
STATEMENT OF FOOD SERVICE

Pursuant to the State of Colorado Liquor Code, the Applicant hereby certifies that they have read and fully understand the following excerpts of law:

Hotel-Restaurant Liquor License

"Restaurants shall sell alcohol beverages as provided in this section only to customers of the restaurant and only if meals are actually and regularly served and provide not less than twenty-five percent of the gross income from sales of food and drink of the business of the license premises over any period of time of at least one year."

Brew Pub Liquor License

"A brew pub licensee shall sell malt, vinous, and spirituous liquors for on-premises consumption only if at least fifteen percent of the gross on-premises food and drink income of the business of the licensed premises is from the sale of food."

Distillery Pub Liquor License

"A distillery pub license may be issued to any person operating a distillery pub and also selling food and alcohol beverages for consumption on the premises. At least fifteen percent of the gross on-premises food and alcohol beverage income of the licensed distillery pub must be from the sale of food."

Pursuant to State Regulations, the Applicant certifies that they shall at all times, when meals are required to be served, maintain on the premises adequate personnel, foodstuffs and other necessary facilities, equipment and supplies for the preparation and serving of meals as defined by 12-47-103(20) C.R.S., as amended.

OATH OF APPLICANT

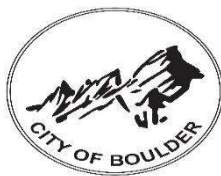
I declare under penalty of perjury in the second degree that I acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date



CITY OF BOULDER
OCCUPATION TAX REGISTRATION

This application must be filed in duplicate with the City of Boulder Licensing Office.
All Information must be printed legibly in ink or typewritten and include the signature page.

Applicant's Business Name: _____

Trade Name: _____

Business Address: _____

Mailing Address: _____

Phone Number: _____ Contact Person: _____

Date that you intend to start business: _____

The Applicant applies for or acknowledges to the City of Boulder Beverage Licensing Authority (BLA) the following liquor license and pays the following fees:

Type of License Application:

- | | |
|---------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Class |
| <input type="checkbox"/> Change of Location | <input type="checkbox"/> Transfer of Ownership |

Type of License/Occupation Tax each Year:

- | | |
|---------------------------------------------------------------------------|---------------------------------------------------------------|
| <input type="checkbox"/> Fermented Malt Beverage On-Premise: \$400.00 | <input type="checkbox"/> Beer and Wine: \$1,085.00 |
| <input type="checkbox"/> Fermented Malt Beverage Off Premise: \$275.00 | <input type="checkbox"/> Retail Liquor Store: \$988.50 |
| <input type="checkbox"/> Hotel-Restaurant: \$3,253.00 | <input type="checkbox"/> Liquor Licensed Drug Store: \$988.50 |
| <input type="checkbox"/> Hotel-Restaurant w. Optional Premise: \$3,253.00 | <input type="checkbox"/> Club: \$1,284.00 |
| <input type="checkbox"/> Tavern: \$3,253.00 | <input type="checkbox"/> Arts: \$1,284.00 |
| <input type="checkbox"/> Brew Pub: \$3,253.00 | <input type="checkbox"/> Distillery Pub: \$3,253.00 |
| <input type="checkbox"/> Lodging and Entertainment: \$3,253.00 | <input type="checkbox"/> Vintner's Restaurant: \$3,253.00 |
| <input type="checkbox"/> Resort Complex of H &R: \$3,253.00 | |

Liquor Occupation Tax is an on-going yearly tax associated with holding a current liquor license in the City of Boulder and the above amounts are annual totals. Occupation tax is invoiced bi-annually, each January 1 and July 1, for the next 6 month operating period.

All outstanding amounts must be paid prior to temporary license issuance for a transfer application.

All new licenses will receive a pro-rated invoice and the tax will be collected prior to license issuance.

For Transfer Applications ONLY (the seller must complete this section):

Licensee's Business Name: _____

Trade Name: _____

Phone Number: _____ Contact Person: _____

Premise Address: _____

Mailing Address: _____

(please provide the seller's mailing address for future correspondence)

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application, my answers, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the State of Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date

Chapter 7 Occupation Tax¹

3-7-1. Legislative Intent.

The purpose of this chapter is to impose an occupation tax upon persons engaged in the business of manufacture or sale of malt, vinous or spirituous liquor or fermented malt beverages in the city.²

3-7-2. Imposition and Rate of Tax.

- (a) No person licensed to sell malt, vinous or spirituous liquor or fermented malt beverage in the city shall fail to pay to the city manager an occupation tax upon the business of selling malt, vinous or spirituous liquors or fermented malt beverages according to the following schedule:
- (1) The holder of a malt, vinous or spirituous liquor license shall pay an annual occupation tax as follows:
- (A) Retailer liquor store license \$988.50
 - (B) Liquor-licensed drugstore 988.50
 - (C) Beer and wine license 1,085.00
 - (D) Hotel and restaurant license 3,253.00
 - (E) Brew pub license 3,253.00
 - (F) Tavern license 3,253.00
 - (G) Club license 1,284.00
 - (H) Arts license 1,284.00
 - (I) Race track license 2,957.50
 - (J) Vintner's restaurant 3,253.00
 - (K) Distillery pubs 3,253.00
 - (L) Lodging and entertainment facility 3,253.00
 - (M) Resort complex 3,253.00
- (2) A fermented malt beverages licensee shall pay an annual occupation tax as follows:
- (A) Consumption on the premises \$400.00
 - (B) Consumption off the premises 275.00
- (b) The occupation tax is due and payable to the city manager for each year for which a license has been obtained on the first day of January of each year, or as soon thereafter as the license is issued. If the city manager issues a beverage license for less than a full year, the manager shall prorate the occupation tax on the number of whole months remaining in the year. If a license under this chapter is issued for any applicant

¹Adopted by Ordinance No. 4651. Derived from Ordinance Nos. 3887, 4130.

²See Tom's Tavern v. City of Boulder, 526 P.2d 1328 (1974).

who previously paid an occupation tax for the current year for the exercise of a fermented malt beverage or liquor license, the manager shall prorate the tax and credit it to the new occupation tax applicable to the new license after the licensee surrenders the old license.

- (c) No delinquency in the payment of the occupation tax imposed by this section is a ground for suspension or revocation of a fermented malt beverage or liquor license issued by the city or state.
- (d) No person shall operate any malt, vinous or spirituous liquor or fermented malt beverage establishment in the city unless such person has paid the appropriate occupation tax. Each day of operation in violation of this subsection constitutes a separate offense.
- (e) Any person obligated to pay the tax imposed by this chapter may elect to pay the occupation tax in installments, one-half of the tax on or before January 1 of the year for which the tax is due and the remaining one-half on or before July 1 of the same year.

On any new license issued after January 1 but prior to July 1, such person may also make such an election.

- (f) If a person obligated to pay the tax imposed by this chapter goes out of business or otherwise intends not to make use of its city or state license and so certifies to the city manager under oath, the manager shall refund a prorated amount of the occupation tax previously paid attributable to the time that the license will be unused, at the rate of one-twelfth of the fee for each whole month remaining in the year. No person shall make a false statement on such certificate.
- (g) Payment of \$295.50 of the occupation tax for a license that did not possess an extended hours license as of June 30, 1997, shall be waived if the licensee submits an annual notarized statement to the city manager that malt, vinous or spirituous liquor has not and will not be sold during the hours from 8:00 p.m. to 2:00 a.m. on Sundays and on Christmas Day.

Ordinance Nos. 5425 (1991); 5835 (1996); 5899 (1997); 8223 (2018) ; 8284 (2018)

3-7-3. Reserved.

Editor's note(s)—Ord. No. 8237 Editor's note(s)—, § 2Editor's note(s)—, adopted February 6, 2018, effective March 8, 2018, repealed § 3-7-3Editor's note(s)—, which pertained to enforcement of tax liability. See Code Comparative Table for complete derivation.

Boulder Neighborhood Needs & Desire Petitioning

After you have completed your application and submitted it for consideration, the Licensing Office will set hearing dates for your neighborhood boundaries and for your application public hearing.

The neighborhood boundaries set are typically not less than 1/2 mile radius from the site proposed for a liquor license. The public hearing date will be not less than thirty (30) days from the date of receipt of your complete application by the Licensing Office.

The Beverages Licensing Authority (the "Authority") will set your neighborhood boundaries, usually at the hearing the month before your public hearing. You are welcome to attend your boundary setting hearing or to submit suggested boundaries, but you are not required to do so.

Before approving a liquor license application, the Authority must consider the reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, remonstrance, supporting witnesses or other evidence submitted by the applicant and by residents and business owners/managers of the designated neighborhood. In person witness testimony may be given at the hearing. Letters in favor or opposed to the application should be submitted prior to the hearing.

Although the law does not require that an applicant petition the neighborhood, it is the most common form of evidence presented. Signatures obtained from door to door petitioning must be from residents and business owners/managers of the Authority defined neighborhood. Please note that only door to door petitions will be considered by the Beverage Licensing Authority. For the resident petitions, all persons signing must be at least 21 years of age and reside in the neighborhood. For the business petitions, all persons signing must be at least 21 years of age and own and/or manage a business in the defined neighborhood. You must provide the Authority with sufficient evidence to support its findings that: 1) the reasonable requirements of the neighborhood establish a need for the issuance of the requested license, and 2) that the desires of the adult inhabitants dictate the issuance of the license. The Authority will also be looking to assure that a good sampling of the designated neighborhood was taken.

If you choose to use the petitioning method for proving neighborhood needs and desires, the "Resident Petition Form" and the "Business Petition Form" created by the Licensing Office must be used in this process. Each door to door petitioner must carry and show at the door a copy of the "Designated Neighborhood Map" and the "Existing Licenses List" provided by the Licensing Office. The prepared "Petition Results Summary" should also be included with your petition signature pages to summarize the results.

Each petitioner who has collected petition results door to door must include a signed "Affidavit of Circulator" that is notarized indicating that he/she personally witnessed each signature appearing on the petition and that, to the best of his/her knowledge, each signature is the signature of the person whose name it purports to be and that the address given opposite the person's name is the true residential or business address of the person signing the petition. Failure to affix a completed affidavit of circulator, including notarization, may cause petition invalidity concerns to be raised by the Authority.

There are professional petitioning firms that you may contract with; however, the decision to use any such firm is entirely yours. If you choose a professional petitioning firm, they must also use the prepared petition forms and results summary. This information is meant only as a guideline provided as a courtesy by the City of Boulder. Applicants are encouraged to consult a private attorney for answers to legal questions or concerns.



CITY OF BOULDER
TEMPORARY LIQUOR LICENSE APPLICATION
FOR TRANSFER OF OWNERSHIP APPLICATIONS

This application must be filed, along with the complete Transfer Application with all attachments,
in duplicate with City of Boulder Licensing Office.

All Information must be printed legibly in ink or typewritten.

Transfer Applicant's Business Name: _____

Trade Name: _____

Business Address: _____

Mailing Address: _____

Contact Person: _____ Phone Number: _____

Current Seller Licensee: _____ Contact Person: _____

Trade Name: _____ Phone Number: _____

Premise Address: _____

Liquor License Number: _____ Expiration Date: _____

License Type: _____

Mailing Address: _____

(please provide the seller's mailing address for future correspondence)

REQUIREMENTS FOR TEMPORARY LICENSE ISSUANCE

- ☐ Complete Transfer of License Application
- ☐ Temporary Applied for Within Thirty (30) Days of Original Application
- ☐ State of Colorado Sales Tax License or Application
- ☐ City of Boulder Business License Application for Sales Tax License and Receipt
- ☐ Contact Made with Boulder County for Health Inspection, if needed
- ☐ Boulder Fire Department Inspection and email sent to City Licensing (call 303-441-3353 to arrange)
- ☐ City Licensing On-Line Background Check Completed
- ☐ No Modification Planned to Premise or Plan to Delay Modification until Authority Approval
- ☐ City Sales Tax Account must be current and properly paid (Seller should call 303-441-4026 to confirm)
- ☐ City Liquor Occupation Tax must be current and properly paid (Seller should call 303-441-3068 to confirm)
- ☐ \$100 License Fee Received- Made payable to "City of Boulder"

CONSENT OF LICENSEE (Seller)

I consent to the transfer of the above referenced liquor license and understand that a temporary liquor license will be issued to the buyer in the context of their transfer of ownership liquor license application.

Authorized Signature

Print Name

OATH OF APPLICANT (Buyer)

I declare under penalty of perjury in the second degree that this application, my answers, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to know and to comply with the provisions of the State of Colorado Liquor and Beer Codes, State Liquor Regulations, and all City of Boulder Rules, Regulations, and Codes which affect my liquor license.

Authorized Signature

Print Name

Title

Date