

**CITY OF ALAMOSA
PROCEDURE FOR TRANSFER OF OWNERSHIP
OF A LIQUOR LICENSE**

INTRODUCTION

The Colorado Legislature has determined that the issuance and supervision of liquor licenses shall be closely regulated. City Council of the City of Alamosa, Colorado, is the "Local Licensing Authority" for all licenses issued within the City of Alamosa, and is thus charged with carrying out these State-delegated duties. The following procedure is designed to enhance the efficient, prompt and responsible performance of these important duties by the City Council. General information and forms may also be obtained from the Colorado Division of Liquor Enforcement at www.colorado.gov/revenue/liquor.

APPLICATION FORMS

The State has prescribed certain forms to be filled out for different aspects of a liquor license application and for different types of applications. The City Clerk distributes such forms upon request and will provide a checklist and routine information concerning the requirements. The Clerk cannot provide legal advice; therefore, an applicant should consult a private attorney for any legal questions concerning the application.

The application provides for specific documentation that should accompany it. An applicant should read it and fill it out carefully and tender to the City Clerk in one packet all information required, together with all fees in the appropriate amounts.

SEQUENCE AND TIMING

The attached charts show the steps and anticipated time requirements for the process. Getting a Transfer of Ownership will generally take about six weeks if no hearing is needed; and three to four months if a hearing is needed. The criteria used in granting approval of a Transfer of Ownership is to determine whether the application is complete; and to determine that the applicant is of good moral character.

A Temporary Permit may be applied for at the time of application submittal. The timing of a transfer is often challenging because once the new owner gains possession of the premises through a deed or lease, the former owner cannot serve alcohol. And because the new owner does not have the license in hand yet, he/she cannot serve alcohol either. A Temporary Permit allows business to continue uninterrupted. It can be issued by the City Clerk upon acceptance of a completed application **and** a clear background check. If there are character issues raised from the results of the background check, a Temporary Permit may be issued only after determination of good moral character by City Council following a hearing.

Although many factors may affect the timing and process, here is an example (but not a guarantee) of what to expect if the City Clerk receives the completed application no later than _____:

Without Public Hearing

Acceptance and decision by Council _____

License in Hand _____

With Public Hearing

Acceptance by City Council _____

Public Hearing _____

Decision _____

License in hand _____

Sequence and Timing When No Hearing is Needed

Review of documents for completeness	City Clerk and City Attorney	1 to 5 days	The applicant will be notified of any insufficiencies on the documents.
Background investigation	City Clerk requests the investigation from the Police Department; and mails fingerprint cards to CBI	2 to 3 weeks	Using the information provided on the application documents and the fingerprint cards, a criminal history investigation will be completed by the Police Department. This process may take longer if the persons investigated have lived out of state within the past five years.
Review of results of background investigation	City Clerk and City Attorney	1 to 5 days	If the investigation produces no record, this step is not necessary.
Issuance of Temporary Permit	City Clerk	1 day	
Acceptance and approval	City Clerk	1 day	If no character issues are raised, no hearing is necessary. The Transfer is approved administratively
Submittal of application to state	City Clerk	1 day	The City Clerk send the approved application by regular mail to the Colorado Department of Revenue.
State approval	Colorado Department of Revenue	2 - 3 weeks	Upon approval by the Colorado Department of Revenue, the state license will be mailed to the City Clerk by regular mail.
Issuance of licenses	City Clerk	1 - 5 days	The City Clerk issues the local license, and sends both licenses to the applicant by regular mail.

Sequence and Timing When a Hearing is Needed

ACTION	RESPONSIBLE PARTY	TIME TO PROCESS	DESCRIPTION
Preliminary conference with City Clerk	Applicant and City Clerk	1 hour	The applicant schedules a meeting with the City Clerk to review the application process and documents.
Completion and submittal of application forms	Applicant	Determined by applicant	Applicants are encouraged to consult their attorney, tax consultant, real estate broker, and any other business advisor during this process.
Review of documents for completeness	City Clerk and City Attorney	1 to 5 days	The applicant will be notified of any insufficiencies on the documents.
Background investigation	City Clerk requests the investigation from the Police Department; and mails fingerprint cards to CBI	2 to 3 weeks	Using the information provided on the application documents and the fingerprint cards, a criminal history investigation will be completed by the Police Department. This process may take longer if the persons investigated have lived out of state within the past five years.
Review of results of background investigation	City Clerk and City Attorney	1 to 5 days	If the investigation produces no record, this step is not necessary.
Formal acceptance of application	City Council	2 to 3 weeks	If character issues are raised, Council will schedule a public hearing.
Publish legal notice and post property	City Clerk	at least 10 days prior to hearing	
Public Hearing	Applicant, City Council, staff, and public	no sooner than 30 days from the date of acceptance	The hearing will be for the purpose of addressing specific character issues given to the applicant in advance.
Decision	City Council	2 - 3 weeks	Normal procedure requires Council make a decision at the meeting following the public hearing. Council may waive this procedure by a majority vote.
Submittal of application to state	City Clerk	1 day	The City Clerk send the approved application by regular mail to the Colorado Department of Revenue.
State approval	Colorado Department of Revenue	2 - 3 weeks	Upon approval by the Colorado Department of Revenue, the state license will be mailed to the City Clerk by regular mail.
Issuance of licenses	City Clerk	1 - 5 days	The City Clerk issues the local license, and sends both licenses to the applicant by regular mail.

LIQUOR LICENSE APPLICATION FEES

STATE FEES:

State fees are indicated on the application form. Fees are dependent on the type of license desired.

Make the check payable to: Colorado Department of Revenue.

LOCAL FEES:

Application Fees:

New License	\$1,000.00
Transfer of Ownership	750.00
Change of Location	750.00
H/R Optional Premises (each)	75.00
Resort Complex Permit (each)	100.00
Manager Registration (H/R and Tavern)	75.00
Corp/LLCO Change (per person)*	100.00
*May be charged by City <u>OR</u> State - not both; local fee does not apply to Club Licenses	
Annual Renewal Application	100.00
Late Renewal Application	500.00

License Fees:

Hotel/Restaurant	\$75.00
Hotel/Restaurant w/optional premises	75.00
Tavern	75.00
Racetrack	75.00
Optional Premises	75.00
Arts	41.25
Club	41.25
Drugstore	22.50
Liquor Store	22.50
Beer & Wine	48.75
Brew Pub	75.00
3.2% Beer	3.75
Brew Pub	75.00

Permit Fees:

Special Events Permit (Liquor)	\$100.00
Special Events Permit (3.2% Beer)	100.00
Temporary Permit	100.00
Bed & Breakfast Permit	25.00
Mini Bar Permit	325.00

Make check payable to: City of Alamosa

Worksheet for Determining
Total Payment

Check made payable to the Colorado Department of Revenue

Application Fee	_____
License Fee	_____
Other: _____	_____
TOTAL	_____

Check made payable to the City of Alamosa

Application Fee	_____
License Fee	_____
Corporate/LLC background fee	_____
Temporary Permit	_____
Other: _____	_____
TOTAL	_____