



**TOWN OF MILLIKEN  
TOWN BOARD  
AGENDA MEMORANDUM**

<b>To:</b> Mayor Tokunaga and Board of Trustees  <b>From:</b> Cheryl L. Powell, Town Clerk  <b>Via:</b> Kent Brown, Town Administrator	<b>Meeting Date:</b>  Wednesday, April 13, 2016
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Consent:	Action: <b>X</b>	Discussion:	Information:
<b>Agenda Title:</b> Tavern Liquor License for The Alibi			
<b>Attachments:</b> License Application, Lease Agreement			

**PURPOSE**

Jeff Gregory, DBA The Alibi, LLC has submitted a Tavern License Application and has paid all required fees for a Tavern License.

**REVIEW CRITERIA COMPLIANCE WITH MUNICIPAL CODE**

This report and the posting of the Town Board meeting Agenda had been prepared in accordance with Municipal Code Sections 6-2-10 through 6-2-40, 6-2-230 and 6-2-310.

**6-2-10 Definitions**

Retail Licensee or Licensee means the holder of a license to sell fermented malt beverages pursuant to the Colorado Beer Code (Article 46 of Title 12, C.R.S.) or the holder of a license to sell malt, vinous or spirituous liquors pursuant to the Colorado Liquor Code (Article 47 of Title 12, C.R.S.)

**6-2-20 Application of State Statutes**

Pursuant to declaration by the General Assembly, the Colorado Beer Code, Section 12-46-101 et seq., C.R.S., the Colorado Liquor Code, Section 12-47-101 et seq., C.R.S., as they presently exist or may hereafter be amended, shall apply to the sale of fermented malt beverages, alcoholic beverages, special malt liquors, spirituous liquors and vinous liquors in the Town.

**6-2-30 Power and Purpose**

The Board of Trustees finds and determines that it is empowered by Section 12-47-135, C.R.S, to fix and collect certain fees in connection with the application for issuance, transfer and renewal of certain types of beer, wine and liquor licenses. The Board of Trustees, further finds that the fees established in this Article are reasonable and are in amounts sufficient to cover actual and necessary

expenses incurred by the Town in connection with the handling of such licenses and applications.

#### **6-2-40 Licensing Fees**

The fees for licensing are set forth in the Fee Schedule and shall be paid to the Town Clerk by the applicant at the time of the filing of the application or request.

#### **6-2-230 Occupation Tax**

In addition to any other applicable fees, every applicant for a news license or renewal of an existing license pursuant to the Division shall pay the annual occupation tax as set forth in the Fee Schedule.

#### **6-2-310 Purpose**

Considering the nature of the business of selling malt, vinous or spirituous liquors or fermented malt beverage and the relation of such business to the municipal welfare, as well as the relation thereof to the expenditures required by the Town and a proper, just and equitable distribution of the tax burdens within the Town and all other matters properly to be considered in relation thereto, the classification of such business as a separate occupation is reasonable, proper, uniform and non-discriminating and necessary for a just and proper distribution of tax burdens within the Town.

### **BUDGET IMPLICATIONS**

The Town receives revenue annually for a liquor license renewal and occupational tax on liquor establishments.

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Trustees approve the Tavern liquor license for The Alibi, LLC 1007 Broad Street, Milliken, CO 80543.

### **SUGGESTED MOTION**

"I move to approve the Tavern Liquor License for The Alibi, LLC located at 1007 Broad Street, Milliken, CO 80543."

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Town of Milliken, Colorado, will hold a Public Hearing at the Milliken Town Hall, 1201 Broad Street, Milliken, Colorado, on April 13, 2016 at 7:00 p.m., to consider a new Tavern License for The Alibi pursuant to the application filed on March 11, 2016 by the owner of said business. Any interested person may appear and be heard.

By: Cheryl Powell, Town Clerk  
Published in The Johnstown Breeze, March 17, 2016



# STATE OF COLORADO

## Liquor Enforcement Division

### Inspection Report

DR 8410 (10/12/12)  
LIQUOR ENFORCEMENT DIVISION  
1881 PIERCE ST. SUITE 108A  
LAKEWOOD, CO 80214-1495  
TELEPHONE (303) 205-2300  
FAX (303) 205-2341

Licensee	Trade Name <i>The Alibi</i>
Address <i>1007 Broad St</i>	Date/Time of Inspection <i>4-5-10 13:15</i>
City, State, ZIP <i>Milliken CO</i>	Person Contacted <i>Jeff Gregory</i>
License Number and Type <i>Pending</i>	Telephone Number <i>816 935-0839</i>

ITEM	Yes No N/A			ITEM	Yes No N/A		
	Yes	No	N/A		Yes	No	N/A
Valid State Sales Tax Posted				Alcohol/Tobacco From Permitted Sources			
Valid State Liquor License Posted				Compliant with Alcohol Tasting Provisions			
Valid Local Liquor License Posted				Off Premises Storage Licensed			
Valid Food Service License Posted				Only Permitted Items Sold			
All Minor Warning Signs Posted				Discuss Gambling Restrictions			
Meals/Snacks Available				Discuss Sale to Intoxicated Persons			
Cleanliness Adequate				Discuss Sale to Minor (Liquor/Tobacco)			
Books/Invoices Available				Tobacco Products Sold			
Manager Registered				Compliant with Vending Machine Regulations			
Licensee in Control of Premises				Compliant with Tobacco Tax Stamp Regulations			
Premises Physical Control Adequate				Compliant with Loose Cigarette Provisions			
Alcohol Beverage Stock Acceptable				Compliant with Counterfeit Product Provisions			
Acceptable Dispensing System				Compliant with Fire Safe Labeling			
Compliant with Trade Practice Requirements							

Warning     Follow-Up Inspection     Referred to \_\_\_\_\_

Remarks: *preliminary site inspection. Revise diagram to include outdoor patio area*

\_\_\_\_\_  
Investigator Date Licensee/Representative Signature Date

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|--|---|---------------------|
| <input type="checkbox"/> Denver Office<br>1881 Pierce St., Room 108      | Telephone: (303) 205-2300<br>Lakewood, CO 80214         | Fax: (303) 205-2341 |
| <input type="checkbox"/> Colorado Springs Office<br>2447 N. Union Blvd.  | Telephone: (719) 594-8702<br>Colorado Springs, CO 80909 | Fax: (719) 594-8719 |
| <input checked="" type="checkbox"/> Greeley Office<br>2320 Reservoir Rd. | Telephone: (970) 356-3992<br>Greeley, CO 80634          | Fax: (970) 378-8896 |
| <input type="checkbox"/> Grand Junction Office<br>2222 Sixth Ave #425    | Telephone: (970) 248-7133<br>Grand Junction, CO 81501   | Fax: (970) 248-7124 |