



**TOWN OF MILLIKEN  
TOWN BOARD  
AGENDA MEMORANDUM**

<b>To:</b> Mayor Woodcock and Board of Trustees  <b>From:</b> Cheryl Powell, Town Clerk  <b>Via:</b> Kent Brown, Town Administrator	<b>Meeting Date:</b>  Wednesday, September 28, 2016
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Consent: X	Action:	Discussion:	Information:
<b>Agenda Title:</b> Renewal of 3.2 Percent Beer Retail License (Off Premises) for 7-Eleven			
<b>Attachments:</b> License Application Milliken Police Dept. Liquor License Renewal Information Sheet			

**PURPOSE**

The 7-Eleven Store # 39078 has submitted the Renewal Application and paid the required fees to renew the 3.2 Percent Beer Retail License (Off Premises) for the period of November 1, 2016 until November 01, 2017.

**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.

### **BACKGROUND**

The Renewal Application is required annually by the Colorado Department of Revenue. The application appears to be in compliance with the Town of Milliken's requirements and the Colorado Department of Revenue. No liquor violations at the business location of 1100 Broad Street have occurred from September, 2015 through September 14, 2016 as evidenced by the attached Milliken Police Department Liquor License renewal informational sheet.

### **BUDGET IMPLICATIONS**

Currently the Town collects on an annual basis, at the time of renewal, an Alcoholic Beverage License Renewal Fee of \$50.00 and an annual Occupational Tax on Alcoholic Business Sales for "Sale of Fermented Malt Beverage for Consumption Off Premises" of \$100.00.

The Town also receives revenue from this business based on the collection of sales tax revenue.

### **STAFF RECOMMENDATION**

Staff recommends that the Board of Trustees renew the 3.2 Percent Beer Retail License (Off Premises) for 7-Eleven located at 1100 Broad Street, Milliken, Colorado.

### **SUGGESTED MOTION**

"I move to approve the renewal of the 3.2 Percent Beer Retail License (Off Premises) for 7-Eleven Store # 39078B located at 1100 Broad Street, Milliken, Colorado for the period of November 01, 2016 until November 01, 2017.



**MILLIKEN POLICE DEPARTMENT  
LIQUOR LICENSE RENEWAL/TRANSFER INFORMATION SHEET**

APPLICANT: 7-Eleven

ADDRESS: 1100 Broad Street

TYPE LICENSE: 3.2 % Beer Liquor License Retail (Off Premises)

POLICE CALLS FOR SERVICE AT THIS LOCATION: 13

LIQUOR VIOLATIONS AT THIS LOCATION: 0

ARRESTS DUE TO ALCOHOL AT THIS LOCATION: 0

MPD RECOMMENDATION FOR RENEWAL: YES 0 NO \_\_\_\_\_

REPORTING OFFICER: Benito Garcia

DATE: September 14, 2016

ADDITIONAL INFORMATION:

**The Shell 7-11 remains in good standing. There were no Liquor Violations or arrests during this period.**