AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON
AUTHORIZING RETAIL LIQUOR STORES OR LIQUOR-LICENSED DRUGSTORES
TO CONDUCT TASTINGS.

WHEREAS, the City of Gunnison is a home rule municipality duly organized and
existing as a body corporate and politic under and by virtue of the Constitution and the laws of
the State of Colorado; and

WHEREAS, the Colorado Revised Statutes authorize local jurisdictions to adopt an
ordinance allowing retail liquor stores or liquor-licensed drugstores to conduct sample “tastings”
of brands of alcoholic beverages in their establishments without charging for such tastings; and

WHEREAS, the City Council of the City of Gunnison, acting as the local liquor
licensing authority, has considered and wishes to adopt an ordinance authorizing tastings of
alcoholic beverages at retail liquor stores or liquor-licensed drugstores located in the City of
Gunnison, Colorado.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON,
COLORADO, ORDAINS THAT:

Section 1. Section 8.40.010 of the City Code of the City of Gunnison is hereby amended
by the addition of the following to the liquor license application fees:

Alcoholic Beverage Tastings License $ 0-

Section 2. Section 8.40.020 of the City Code of the City of Gunnison is hereby
amended by the addition of the following subsection H, to read as follows:

H. Alcoholic Beverage Tastings License.

Section 3.

A. Tastings may be conducted by Retail Liquor Store or Liquor-
Licensed Drugstore licensee in accordance with this section and
pursuant to Section 12-47-301, C.R.S., as the term “tastings” is
defined in said Section 12-47-301, C.R.S.

B. A Retail Liquor Store or Liquor-Licensed Drugstore licensee may
conduct tastings only pursuant to a valid Alcoholic Beverage
Tastings License.

C. A Retail Liquor Store or Liquor-Licensed Drugstore licensee who
wishes to conduct tastings shall submit an application to the City
of Gunnison on forms supplied by the City of Gunnison.

D. If the applicant demonstrates that it is able to conduct the tastings
without violating the provisions of this section or Section 12-47-
310(10), C.R.S., the City Clerk shall issue such license.

E. An Alcoholic Beverage Tastings License shall be valid for one
year and shall run concurrently with the Retail Liquor Store or
Liquor-Licensed Drugstore License of the holder of the Alcoholic
Beverage Tastings License; provided, however, that the first
Alcoholic Beverage Tastings License issued to a Retail Liquor
Store or Liquor-Licensed Drugstore licensee shall be valid only
until the expiration of the then-current Retail Liquor Store or
Liquor-Licensed Drugstore License.
F. Tastings conducted by the holder of an Alcoholic Beverage Tastings License shall be subject to all the limitations and requirements set forth in Section 12-47-301(10), C.R.S., as amended from time to time, and in addition thereto shall be subject to the following limitations:

1. A written notice to the City Clerk of the City of Gunnison must be provided at least 72 hours before a licensee is allowed to conduct a tasting. The notice shall include the name of the liquor licensed premises, the person who is submitting the notice, the name of the person conducting the tasting, and shall indicate the date and time the tasting is to take place.

2. Upon the request of any peace officer or liquor enforcement officer, the holder of an Alcoholic Beverage Tastings License shall provide proof the tastings are to be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division of the Department of Revenue of the State of Colorado and who is either the Retail Liquor Store licensee or a Liquor-Licensed Drugstore licensee, or an employee of such licensee.

3. Licensee shall keep a written record on the licensed premises for each tasting held by that licensee containing the date and time of the tasting and the name of the server. Such written record shall be available upon request for inspection by any peace officer, the City of Gunnison, or Liquor Enforcement Division Officer.

Section 4. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the City Council of the City of Gunnison, Colorado, that the remaining provisions of this ordinance shall be given full force and effect if it is possible to do so.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 14th day of November, 2006, on first reading, and introduced, read, and adopted on second and final reading this 28th day of November, 2006.

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Mayor
(SEAL)

ATTEST:

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City Clerk