



**TOWN OF RED CLIFF
RESOLUTION 2, SERIES 2026**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF RED CLIFF,
COLORADO, ADOPTING THE LIQUOR LICENSING POLICY AND PROCEDURES
FOR THE REVIEW, APPROVAL, RENEWAL, TRANSFER, AND REGULATION OF
LIQUOR LICENSES WITHIN THE TOWN OF RED CLIFF**

WHEREAS, the Town of Red Cliff is responsible for administering local liquor licensing matters in accordance with the Colorado Liquor Code and Liquor Enforcement Division (LED) rules, and

WHEREAS, the Town recognizes the importance of establishing consistent, transparent, and legally compliant procedures to ensure fair and efficient processing of liquor license applications, renewals, transfers, modifications, and enforcement actions; and

WHEREAS, the Town has determined that a formal Liquor Licensing Policy and Procedures document will assist applicants, business owners, staff, and the Board of Trustees in understanding all required steps, timelines, responsibilities, and regulatory requirements; and

WHEREAS, the Board of Trustees finds that adopting a comprehensive Liquor Licensing Policy and Procedures document will promote public health, safety, and welfare, support economic development, and ensure compliance with Colorado state law and local ordinances; and

WHEREAS, the Town has prepared the Liquor Licensing Policy and Procedures attached hereto as Exhibit A, establishing procedures for applications, hearings, neighborhood needs assessments, renewals, modifications, enforcement, inspections, and coordination with the State of Colorado; and

WHEREAS, the Board of Trustees finds that adopting the Policy and Procedures will provide clarity, improve administrative consistency, and support fair and lawful decision-making by the Local Licensing Authority;

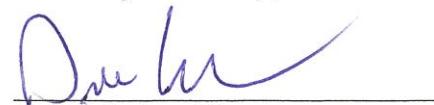
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR
THE TOWN OF RED CLIFF, STATE OF COLORADO:**

1. The Liquor Licensing Policy and Procedures attached hereto as Exhibit A, and incorporated herein by reference, is hereby adopted.
2. The Town Administrator/Clerk and appropriate Town staff are authorized and directed to implement and administer the Policy and Procedures and to enforce its provisions

consistent with the Colorado Liquor Code, LED rules, and the Town Code.

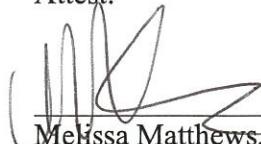
3. This Resolution shall take effect immediately upon adoption and shall remain in effect until amended or repealed by the Board of Trustees.

This Resolution passed by a vote of the Board of Trustees for the Town of Red Cliff.
INTRODUCED, READ, APPROVED AND ADOPTED this 20th day of January, 2026.



Duke Gerber, Mayor

Attest:



Melissa Matthews, Town Administrator/Clerk

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Exhibits

- **Exhibit A:** New Liquor License Application Requirements & Checklist
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*This Policy shall be interpreted consistent with the Colorado Liquor Code and LED regulations.
Where this Policy is silent, state laws and Town ordinances shall govern.*

1. Purpose & Intent

This policy establishes procedures, timelines, responsibilities, and decision-making standards for the review, approval, denial, renewal, and ongoing monitoring of liquor licenses within the Town of Red Cliff, Colorado. The policy ensures compliance with the Colorado Liquor Code, applicable rules of the Colorado Department of Revenue – Liquor Enforcement Division (LED), and all applicable Town ordinances. The Town adopts this policy to promote consistency, transparency, and fairness in the liquor licensing process and to protect the public health, safety, and welfare of residents and visitors.

2. Authority

The Town of Red Cliff is authorized to act as the Local Licensing Authority (LLA) pursuant to the Colorado Liquor Code and applicable rules of the Colorado Department of Revenue – Liquor Enforcement Division (LED). The Town’s Local Licensing Authority is responsible for reviewing and acting on liquor license applications, renewals, transfers, and related matters in accordance with state law and applicable Town ordinances. Where this policy is more restrictive than state requirements, the Town may apply the stricter standard as permitted by law.

3. Definitions

Applicant: A person or entity submitting an application for a new liquor license, transfer, renewal, modification, or other liquor licensing action to the Town of Red Cliff.

Colorado Liquor Code: The Colorado Liquor Code, Title 44, Article 3, Colorado Revised Statutes, and any applicable rules adopted by the Colorado Department of Revenue – Liquor Enforcement Division (LED).

Complete Application: An application package that includes all required state and local forms, supporting documents, fingerprint/background materials (if applicable), fees, and any additional materials necessary for the Town to proceed with processing, public notice, and scheduling for hearing or administrative review. *A complete application does not guarantee approval.*

Local Licensing Authority (LLA): The Town of Red Cliff Board of Trustees acting as the Local Licensing Authority for purposes of liquor licensing under state law, responsible for hearing and deciding license actions within the Town.

Licensing Clerk/Town Staff: The Town Clerk or other designated Town staff responsible for intake, processing, and administrative coordination of liquor license applications, renewals, transfers, and related actions.

Liquor Enforcement Division (LED): The Colorado Department of Revenue's Liquor Enforcement Division, which administers state liquor licensing laws and issues final approvals/issuance for many liquor licensing actions.

Licensee: A person or entity issued a liquor license by the State of Colorado and approved by the Town of Red Cliff as the Local Licensing Authority.

Liquor License: A license issued under the Colorado Liquor Code authorizing the sale, service, or manufacture of alcohol at a specified location and under specified conditions.

Premises: The specific physical location and layout approved for alcohol service and consumption under a liquor license, including defined boundaries, interior spaces, and any approved patios or outdoor service areas. The premises are typically shown on a diagram submitted with the license application.

Renewal: The process of extending an existing liquor license for an additional licensing period in accordance with state and local requirements, including submission of required renewal forms, fees, and compliance confirmation.

Transfer: A change to an existing liquor license that requires approval. Transfers may include:

- Transfer of Ownership: a change in the person or entity holding the license; and/or
- Transfer of Location: a change in the premises address/location (if permitted by state law).

Modification/Change of Premises: A request to alter the licensed premises or other approved license conditions, such as expanding or reconfiguring the service area, adding a patio, changing floor plan boundaries, or adjusting other operational conditions that require approval.

Temporary Permit: A permit issued to allow limited alcohol sales or service under specific circumstances, typically associated with a pending ownership transfer or other qualifying licensing action, as authorized by state law and LED.

Special Event Permit: A permit allowing alcohol service for a specific event, at a specific location, and during a specific timeframe, subject to state and local approval requirements.

Neighborhood: For purposes of liquor licensing findings, "neighborhood" refers to the area surrounding the proposed licensed premises that is reasonably impacted by the proposed liquor-licensed establishment.

Needs & Desires of the Neighborhood: A required licensing consideration under state law, typically evaluated through public testimony, petitions, surveys, or written comments regarding whether the community supports or opposes the proposed license.

Reasonable Requirements of the Neighborhood: A required licensing consideration under state law, generally relating to whether the number and type of existing liquor-licensed establishments reasonably meet the community's needs.

Public Notice: The required posting and publication process notifying the public of liquor license applications or actions, including applicant posting at the premises and in the Town's designated posting places adopted annually, as required by state law and this Policy.

Good Cause: A legally sufficient reason to deny, suspend, revoke, or otherwise take action on a license, as authorized under state law and applicable Town ordinances, based on evidence presented in a hearing or documented compliance review.

4. Roles & Responsibilities

Local Licensing Authority (LLA) – Board of Trustees: The Town of Red Cliff Board of Trustees serves as the Local Licensing Authority (LLA) and is responsible for administration of liquor licensing matters within the Town pursuant to the Colorado Liquor Code and applicable Town ordinances. The LLA shall:

- Review and take formal action on all liquor license applications and related matters requiring a hearing or vote under state law or Town policy, including new licenses, transfers, renewals, modifications of premises, and enforcement actions.
- Conduct public hearings in accordance with applicable legal requirements, ensuring procedural fairness and an adequate record.
- Make required findings and determinations under state law, including:
 - The needs and desires of the neighborhood
 - The reasonable requirements of the neighborhood
 - Applicant qualifications and suitability of the premises
- Approve, approve with conditions (where allowed), or deny liquor licensing actions based on the record presented.
- Maintain the integrity of the licensing process through consistent application of standards and consideration of public health, safety, and welfare.
- Direct enforcement action or hearings when appropriate, including show cause proceedings, suspension, or revocation, consistent with state law.

Town Clerk/Designated Licensing Clerk (Administrative Authority): The Town Clerk, or other designated Town staff, serves as the primary administrative contact for liquor licensing and is responsible for managing licensing intake, processing, and coordination. Town staff shall:

- Provide applicants with current application materials, checklists, fee schedules, timelines, and procedural requirements.
- Receive and review submitted applications for completeness and compliance with required documentation.
- Determine when an application is administratively complete, and notify the applicant of any missing or deficient items.
- Coordinate required referrals, including with:
 - Colorado Liquor Enforcement Division (LED)
 - Law enforcement agencies (when applicable)
 - Planning, building, fire, and zoning departments or consultants
- Schedule hearings when required and provide notice to applicants regarding deadlines and hearing procedures.
- Ensure public notice requirements are satisfied, including required posting documentation.
- Prepare agenda items, staff summaries, and draft findings for the LLA.
- Maintain official liquor license records, including:
 - Applications
 - Supporting documents
 - Hearing materials
 - Findings and decisions
 - Renewal tracking
- Forward required approvals, documentation, and decisions to LED and other agencies.
- Coordinate compliance tracking, complaint intake, and licensee correspondence.

Town staff do not approve liquor licenses unless authority has been expressly delegated in accordance with state law.

Applicant/Licensee Responsibilities: Applicants and licensees are responsible for ensuring compliance with all applicable state and local requirements. Applicants/licensees shall:

- Submit a complete and accurate application, including all state and local forms, supporting documents, required fees, and background materials.
- Ensure all proposed operations comply with applicable Town regulations, including zoning, land use approvals, building and fire codes, and occupancy limits.
- Complete all required public notice steps, including:
 - Posting notice at the premises for the required period
 - Ensuring posting of public notice in all Town designated places
 - Providing affidavits or proof of compliance to the Town
- Attend required hearings and provide testimony as needed.

- Maintain compliance with liquor laws and all license conditions.
- Promptly notify the Town and LED of changes to ownership, management, premises configuration, or operational structure that may require approval.
- Maintain current contact information with the Town and LED.
- Cooperate with inspections, investigations, and enforcement proceedings.

Failure to comply with procedural requirements, provide accurate information, or follow public notice requirements may result in processing delays, rejection of an incomplete application, or denial of the request.

Colorado Department of Revenue – Liquor Enforcement Division (LED): The Liquor Enforcement Division (LED) administers statewide liquor licensing laws, maintains authority over issuance and enforcement under the Colorado Liquor Code, and is responsible for:

- Reviewing liquor license applications and ensuring compliance with state requirements.
- Issuing liquor licenses and renewals as authorized under state law.
- Conducting investigations, compliance checks, and enforcement actions under state authority.
- Providing required forms, instructions, and regulatory guidance.
- Maintaining statewide licensing records and issuing final approvals where required.

Law Enforcement (when applicable): The Town may request or require law enforcement input on applications or license compliance. Law enforcement may:

- Provide comment regarding the applicant's background, establishment history, or public safety concerns.
- Participate in compliance investigations or enforcement actions as authorized under state law.
- Provide input related to security, crowd management, or impacts of the proposed premises.

Planning/Building/Fire Review (when applicable): Liquor licensing approval does not replace or supersede land use, building permit, or fire code compliance. Relevant Town staff, contractors, or partner agencies may:

- Confirm zoning eligibility for the proposed license type and intended operation.
- Review premises diagrams and layout consistency with approved building plans.
- Verify compliance with occupancy limits, egress requirements, and life-safety code standards.
- Provide recommendations or conditions to ensure compliance and public safety.

Liquor licensing approvals are contingent on continued compliance with all applicable Town codes and state law and may be subject to conditions as allowed by law.

5. License Types

The Town of Red Cliff processes liquor license applications and related requests authorized under the Colorado Liquor Code, including but not limited to hotel and restaurant, tavern, retail liquor, beer and wine, club, manufacturer licenses, and other license types permitted by law.

6. Application Intake & Completeness Review

Pre-Application Meeting (Recommended): Applicants are strongly encouraged to schedule a pre-application meeting with the Town Clerk prior to submitting a liquor license application. The purpose of the meeting is to review and confirm:

- Appropriate license type
- Proposed premises location and zoning compliance
- Required application materials and supporting documentation
- Estimated processing timeline
- Applicable fees
- Public hearing process and notice requirements (if applicable)

A pre-application meeting is recommended but is not required in order to submit an application.

Application Intake: Liquor license applications and other liquor licensing requests (“liquor license actions”) must be submitted to the Town Clerk on the current Colorado Department of Revenue – Liquor Enforcement Division (LED) form(s) required for the specific action. Required submittal materials vary by application category and are identified in the applicable Exhibit. Town staff will accept applications for processing only when submitted with all required form(s), fee(s), and the supporting documentation required for that action. The Town Clerk serves as the primary point of contact for application intake and coordination and may consult with the Town Attorney and other Town departments during review, as appropriate.

Required Application Materials: Applicants must submit the current LED form(s) applicable to the requested liquor license action, along with any supporting documentation and fees specifically required for that application type. Required materials vary by application category. All submissions must include, at minimum:

1. Current State Liquor License Application Form (LED form) for the requested action
2. Applicable Local Fee(s), and any required documentation identified in the applicable Exhibit

New license applications and certain other actions (including transfers of ownership, transfers of location, and modifications of premises) typically require additional documentation, such as:

- Proof of possession of the premises (lease, deed, contract, etc.)

- Premises diagram showing boundaries and service areas
- Fingerprint-based background checks through CBI for required individuals
- Financial disclosures and ownership information
- Certificate of good standing or entity documentation (if applicable)
- Sales tax license number or proof of application
- Applicable state fees (submitted after local approval)

Applicants should refer to the applicable Exhibit for the specific checklist, supporting documentation, and processing requirements for each liquor license action.

State fee payments shall not be submitted to the State of Colorado until after the Town's Local Licensing Authority has approved the application.

Completeness Review: The Town Clerk will review submitted materials for completeness and basic eligibility within seven (7) business days of receipt.

- If the submission is complete, the Town will proceed with processing, including referrals, inspections, and hearing scheduling when required.
- If the submission is incomplete, the Town Clerk will notify the applicant in writing of deficiencies. The applicant must cure deficiencies before processing will continue.

No hearing will be scheduled, and public notice shall not be initiated, until the Town has determined the application is complete.

Background checks & Ownership Threshold (When required): Fingerprint-based background checks are required only for those application types and individuals mandated by state law and LED rules, including, when applicable, individuals with ten percent (10%) or more ownership interest in the business (direct or indirect), and any other persons required by LED. When background checks are required, the Town may review results in consultation with the Town Attorney and may request additional information as necessary to determine applicant qualification.

Inspections & Code Compliance Review (When applicable): Certain liquor license actions may require verification of zoning eligibility and compliance with applicable building, fire, and occupancy standards, particularly for new liquor license applications, transfers of location, and modifications of premises. When applicable, following completeness acceptance, the Town Clerk will route the application for inspection and review by Planning, Building, Fire, or other relevant officials. Liquor licensing approval does not replace or supersede required land use approvals, building permits, certificates of occupancy, or other local permits. Applicants remain responsible for obtaining and maintaining all required approvals before commencing or continuing operations. If inspections or compliance confirmations are required, final issuance may be contingent upon verification of compliance.

General Processing Timeline (Estimated): Processing timelines vary based on the type of liquor license action, applicant responsiveness, background check processing, inspection needs, and hearing scheduling. Town generally follows the process steps identified in Exhibit I (Liquor License Application Timeline & Process Overview). Estimated timeframes are provided for planning purposes and do not create a right to approval by a specific date.

Processing Delays and Applicant Responsibility: Incomplete submissions, missing state forms, delayed background results (when required), notice defects (when required), zoning conflicts, or outstanding compliance issues may delay processing. The applicant is responsible for timely submission of all required materials and for responding promptly to requests for additional information.

7. Posting & Public Notice Requirements

Public notice is required to ensure transparency and provide residents and interested parties an opportunity to review and comment on liquor licensing actions. Public notice requirements shall be completed in accordance with the Colorado Liquor Code, applicable LED rules, and Town procedures established by resolution. At minimum, the Town shall post notices at the following locations:

- Front entrance of the Town of Red Cliff Town Hall
- Town of Red Cliff United States Post Office bulletin board
- Town of Red Cliff website

If the Town updates official posting locations by resolution, the updated locations shall apply without requiring amendment of this Policy.

For liquor licensing actions requiring a public hearing before the Local Licensing Authority (LLA), the Town Clerk shall post notice of the hearing at the Town's official posting locations in accordance with state law and the Town's posting resolution. Notice shall include, at minimum:

- Name of applicant/licensee
- Type of license or action requested
- Address of the proposed or existing premises
- Date, time, and location of the hearing
- Instructions for submitting public comment (if applicable)

When required by state law or LED rules, the applicant shall post public notice at the proposed licensed premises for the required period and in the required manner. The posted notice shall remain visible and legible for the full posting period. The applicant shall provide

proof of posting to the Town Clerk in the form of an affidavit or other documentation acceptable to the Town (see Exhibit J).

Notice shall be posted in advance of the hearing consistent with the Colorado Liquor Code, LED requirements, and Town procedures. A hearing shall not be held unless required notice has been properly completed and verified. The Town Clerk may continue or reschedule a hearing if notice requirements are not satisfied, if proof of posting is not received in a timely manner, or if additional notice is required to ensure due process.

Public comment is accepted as part of the liquor licensing process and may be provided:

- In person at the public hearing
- In writing to the Town Clerk before the hearing (if submitted by the deadline established by the Clerk)

Written comments received shall be included in the administrative record and provided to the Local Licensing Authority as part of the hearing packet.

If the Town Clerk determines that required public notice was incomplete, improperly posted, removed early, illegible, or otherwise defective, the application may be delayed and the public hearing may be continued to a future date to ensure compliance and protect due process rights.

The Town may provide additional notice beyond minimum requirements as a courtesy to the public. Additional notice is supplemental only and does not replace required legal notice.

8. Hearing Procedures (Local Licensing Authority)

When a Public Hearing is Required: The Local Licensing Authority (LLA) shall conduct a public hearing for liquor licensing actions when required by state law or when the Town determines a hearing is necessary to ensure due process and protect the public health, safety, and welfare. Hearings are typically required for:

- New liquor license applications
- Transfers of location
- Material modifications of premises (when required by law)
- Contested renewals or renewals involving significant compliance concerns
- Enforcement actions, including show cause proceedings, suspension, or revocation
- Any other licensing action requiring a hearing under the Colorado Liquor Code

Scheduling & Continuances: Hearings shall be scheduled by the Town Clerk once an application is deemed complete and required notice has been verified. The LLA may continue a hearing to a future date for good cause, including but not limited to:

- Incomplete or defective public notice
- Incomplete background results or pending investigation
- Additional information requested by the LLA
- Need for inspections or code compliance verification
- Applicant request (with approval of the LLA or Town Clerk)
- Time constraints, public attendance needs, or due process concerns

Hearing Procedure: Hearings shall be conducted in an orderly manner to allow the LLA to receive evidence and public comment. The Chair may establish reasonable time limits and procedures to ensure fairness and efficiency. A typical hearing format is:

1. **Call to Order and Identification of the Matter**
2. **Staff Presentation**
 - Summary of the application
 - Confirmation of completeness and notice requirements
 - Summary of investigation results and code compliance review
3. **Applicant Presentation**
 - Description of the business, operations, and requested license action
 - Evidence supporting required findings
4. **Public Comment**
 - Testimony or written comments from residents and stakeholders
5. **Board Questions and Discussion**
6. **Close of Public Hearing**
7. **Deliberation and Decision**

The LLA may accept evidence in the form of testimony, petitions, letters, surveys, and other materials relevant to the statutory criteria.

Burden of Proof: The applicant bears the burden of demonstrating compliance with state and local requirements and providing sufficient evidence to support approval of the requested liquor license action.

Standards for Decision: In making a decision, the LLA shall consider all relevant evidence and apply the standards required under the Colorado Liquor Code and applicable LED rules, including, as applicable:

A. Applicant Qualifications

The LLA may consider whether the applicant is qualified under state law, including but not limited to:

- Criminal history and background investigation results
- Ownership structure and disclosed financial interests
- Compliance history with liquor laws (if applicable)
- Truthfulness and completeness of application materials
- Ability to operate the establishment in a lawful and responsible manner

B. Premises Suitability and Compliance

The LLA may consider whether the proposed licensed premises is suitable and legally eligible, including:

- Zoning and land use eligibility
- Building, fire, and occupancy compliance
- Premises diagram accuracy and defined boundaries
- Neighborhood compatibility and public safety impacts
- Operational plans (security, staffing, hours, etc.), where relevant

C. Needs and Desires of the Neighborhood

Where required, the LLA shall consider evidence regarding the needs and desires of the neighborhood, including:

- Testimony from residents and stakeholders
- Petitions for or against the application
- Written letters and emails
- Reasonable survey results or other documented community input

D. Reasonable Requirements of the Neighborhood

Where required, the LLA shall consider whether the reasonable requirements of the neighborhood are met, including:

- Existing licenses and establishments in the surrounding area
- Type of licenses already operating nearby
- Community character and current service availability
- Other relevant evidence presented in the record

Conditions of Approval: When authorized under state law, the LLA may approve an application with conditions that are reasonably related to the public health, safety, and welfare and the statutory liquor licensing criteria. Conditions may include, where permitted:

- Premises boundary restrictions (including patios or outdoor areas)
- Operational requirements related to safety and security
- Compliance-related requirements prior to issuance
- Other conditions necessary to ensure lawful operation

Any conditions shall be stated clearly in the motion and reflected in the written decision or findings.

Decision & Findings: Following the hearing, the LLA may:

- **Approve** the requested license action
- **Approve with conditions** (when permitted by law)
- **Deny** the request
- **Continue** the hearing for additional evidence or compliance verification

The decision shall be based on the record and the standards set forth in state law and this Policy. The Town Clerk shall document the decision in the official record and prepare written findings or decision documentation as required.

Record of Proceedings: The Town shall maintain a record of the hearing and decision, including the application, supporting documents, proof of notice, written comments, staff reports, and hearing minutes or recordings, as required by law and Town retention policies.

The LLA may consider the applicant's operational plan, including training practices, crowd management, and measures to prevent overservice and underage sales.

9. Decision & Post-Decision Steps

The Town of Red Cliff Board of Trustees, acting as the Local Licensing Authority (LLA), may take one of the following actions: approve, approve with conditions (when permitted by law), deny, or continue liquor license applications and related actions that require formal action under the Colorado Liquor Code or this Policy. Decisions shall be based on the record and statutory criteria, including applicant qualifications, premises suitability, compliance with local requirements, and any required neighborhood findings.

The Town Clerk shall document the LLA's decision in the official record. Where required by state law or local practice, the Town Clerk shall prepare written findings, decision documentation, and/or official correspondence reflecting:

- the license type or action requested
- required findings and determinations
- any conditions imposed
- the effective date of the decision
- next steps required for issuance

If the LLA approves an application with conditions, the Town Clerk shall notify the applicant in writing of all conditions and the steps required to satisfy them. Conditions must be met prior to forwarding the application to the State or before issuance, as applicable. If an applicant does not satisfy conditions within a reasonable period of time, the Town may

consider the application withdrawn or may require the matter to return to the LLA for further action.

Following local approval (and satisfaction of any required conditions), the Town Clerk shall forward the approved application and supporting materials to the Colorado Department of Revenue – Liquor Enforcement Division (LED) for state review and final processing, as required.

The Colorado Department of Revenue – Liquor Enforcement Division (LED) conducts state-level review and issues the liquor license as authorized under state law. Applicants are responsible for responding to any additional state requests and maintaining compliance throughout the review period.

Upon receipt of state approval and completion of all required local steps, the Town Clerk shall issue the local liquor license, if applicable, and provide licensing materials to the applicant.

Licensees shall:

- Post/display the license prominently at the licensed premises as required by state law
- Operate only within the approved premises boundaries and license privileges
- Maintain compliance with all license conditions, applicable laws, and Town ordinances

If the LLA denies an application, the Town Clerk shall provide written notice of the denial and, where applicable, information regarding appeal rights under state law. Applicants may reapply in the future; however, the Town may require that any new application address and correct deficiencies or concerns identified in the prior denial.

An applicant may withdraw an application at any time by providing written notice to the Town Clerk.

The Town may consider an application abandoned if it becomes inactive. Inactivity is determined if the applicant fails to respond to requests for additional information or fails to complete required steps in a reasonable timeframe. In order for an application to be considered ‘active’, submission of documents must happen within 30 days of the date of the initial application submission. Fees are non-refundable unless otherwise required by law or provided by Town resolution.

10. Enforcement, Compliance & Complaints

The purpose of this section is to establish a clear and consistent process for complaint intake, compliance monitoring, and enforcement actions related to liquor-licensed establishments within the Town of Red Cliff. The Town's enforcement approach is intended to protect the public health, safety, and welfare while ensuring due process and fair treatment for licensees.

Licensee Responsibility: All licensees are responsible for complying with:

- The Colorado Liquor Code and LED regulations
- All conditions of approval imposed by the Local Licensing Authority (LLA)
- Applicable Town ordinances, including zoning, noise, health and safety, and nuisance regulations
- Any requirements related to the approved premises boundaries and operating privileges

Liquor licensing approval does not waive or replace compliance with other Town or state requirements.

Complaint Intake: Residents, visitors, and other parties may submit complaints regarding a liquor-licensed establishment to the Town Clerk. Complaints may be submitted in writing, by email, or by other means designated by the Town. Complaints should include, to the extent known:

- Name and address of the licensed premises
- Date and time of the incident or concern
- Description of the issue and any relevant facts
- Complainant contact information (optional, but encouraged for follow-up)

Anonymous complaints may be accepted; however, limited information may restrict the Town's ability to investigate or take formal action.

Complaint Review and Referral: Upon receipt of a complaint, the Town Clerk may:

- Acknowledge receipt (when contact information is provided)
- Review the complaint for jurisdiction and relevance
- Request additional information from the complainant or licensee
- Refer the complaint to the appropriate agency, including:
 - Colorado Liquor Enforcement Division (LED)
 - Law enforcement
 - Building, fire, or zoning officials
 - Other agencies with regulatory authority
- Document complaint activity in the license file

The Town may prioritize complaints involving public safety, underage service, overservice, repeated disturbances, or alleged violations of liquor laws.

Compliance Monitoring: The Town may monitor compliance through a variety of methods, including:

- Review of complaints and documented incidents
- Coordination with LED or law enforcement
- Review of compliance with Town ordinances and license conditions
- Inspections or site visits conducted by authorized officials (as applicable)

Nothing in this Policy requires the Town to conduct routine inspections; however, the Town may conduct inspections or request agency support when needed for enforcement or public safety purposes.

Informal Resolution: When appropriate, the Town Clerk may attempt to resolve complaints informally through communication with the licensee, including:

- Education regarding legal requirements
- Written warning or notice of concern
- Requests for voluntary corrective action
- Referral to training or compliance resources

Informal resolution does not prevent the Town from initiating formal enforcement action if circumstances warrant.

Formal Enforcement Actions: The Local Licensing Authority (LLA) may initiate formal enforcement action when there is evidence of violations of the Colorado Liquor Code, LED regulations, Town ordinances, or license conditions. Formal enforcement may include, as authorized by law:

- Notice of alleged violation
- Show Cause Hearing
- Suspension
- Revocation
- Fines or other remedies as permitted by state law
- Modification of conditions or license restrictions as allowed by law

The Town shall provide notice and an opportunity to be heard consistent with state law and due process requirements.

Show Cause Hearings: When a show cause hearing is initiated, the Town Clerk shall provide notice to the licensee specifying:

- The alleged violations or basis for the action
- Date, time, and location of the hearing
- Evidence or documentation available for review
- Procedures for presenting testimony or evidence
- Potential outcomes, including suspension or revocation

Show cause hearings shall be conducted in a fair and orderly manner, and the LLA shall base its decision on the record and applicable standards under state law.

Emergency Situations: In situations involving an immediate threat to public health or safety, the Town may coordinate with LED and law enforcement to pursue appropriate emergency measures as authorized by state law.

Documentation and Records: The Town shall maintain records of complaints, enforcement actions, hearings, decisions, and correspondence as part of the license file in accordance with applicable retention requirements. Public records shall be handled in compliance with the Colorado Open Records Act (CORA), including protections for confidential or protected information.

Coordination with State Enforcement: The Town recognizes that the Colorado Liquor Enforcement Division (LED) has separate enforcement authority under state law. The Town may refer violations or concerns to LED and may cooperate in investigations or proceedings as requested.

No Waiver: Failure by the Town to take enforcement action for a particular violation shall not be construed as a waiver of the Town's authority to enforce state law, Town ordinances, or license conditions in the future.

The Town generally seeks voluntary compliance and corrective action prior to formal enforcement where appropriate; however, serious or repeated violations may result in immediate formal action.

11. Records, Updates & Policy Review

Official Records: The Town Clerk shall maintain official liquor licensing records in accordance with the Colorado Open Records Act (CORA), applicable state requirements, and the Town's records retention policies. Liquor licensing records may include:

- Applications and supporting documentation
- Proof of public notice and posting affidavits
- Correspondence and applicant/licensee communications
- Hearing packets, minutes, recordings, and findings
- Licenses and renewal documentation
- Complaints and enforcement records (as applicable)

Confidential or protected information (including personal identifying information, criminal history results, and investigative materials) shall be handled and retained consistent with state law and applicable privacy requirements.

Exhibits & Administrative Materials: The Exhibits to this Policy provide the required forms, checklists, and process requirements for each application type and are incorporated by reference. Exhibits may be updated periodically to reflect current LED forms and administrative procedures. Updates to Exhibits may be approved by resolution of the Board of Trustees or administratively by the Town Clerk when allowed by law and consistent with Board-adopted fee schedules and posting requirements.

Annual Fee & Posting Resolution: The Town's fees and official posting locations for meetings and public information are adopted annually by resolution of the Board of Trustees. Applicants and licensees shall be subject to the fee schedule and posting requirements in effect at the time of application or action request unless otherwise required by law.

Policy Review & Amendments: This Policy may be reviewed and updated periodically to reflect changes in state law, LED rules, Town ordinances, and administrative practices. Amendments to the Policy shall be adopted by the Board of Trustees acting as the Local Licensing Authority.

Severability: If any provision of this Policy is determined to be invalid or unenforceable, such determination shall not affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.

Effective Date: This Policy shall take effect upon adoption by the Town of Red Cliff Board of Trustees and shall remain in effect until amended or repealed.

EXHIBIT A**New Liquor License Application Requirements & Checklist****Town of Red Cliff, Colorado****Applicant Information**

Business Name: _____

Applicant/Entity Name: _____

Premises Address: _____

License Type Requested: _____

Primary Contact: _____ Phone: _____

Email: _____

Applicant Submittal Checklist

Submit the following items to the Town Clerk. All state forms must be the current LED versions.

A. State Application Forms

- State Liquor License Application (LED form)
- Disclosure of Financial Interest / Ownership (LED form, if applicable)
- Individual History Record for each person required by LED
- Any additional license-type specific LED attachments

B. Proof of Possession

- Lease, deed, contract, or other proof of legal right to occupy the premises

C. Premises Documentation

- Diagram of Licensed Premises (clearly showing boundaries and service areas)
- Optional premises information (if applicable)

D. Background Investigation

- Fingerprints submitted through Colorado Bureau of Investigation (CBI)
- Proof of fingerprint submission (receipt/confirmation)

Note: Background checks required for applicant and individuals with 10% or more ownership interest, or as otherwise required by LED.

E. Business/Entity Documentation

- Certificate of Good Standing (if LLC/corporation)
- Operating agreement/corporate documents (if applicable)
- Assumed/trade name registration (if applicable)

F. Local Compliance

- Sales tax license number OR proof of application
- Description of business operations and intended use (brief)

G. Fees

- Local application fee (per current fee resolution)
- State fee acknowledgement*

****State fee payments shall not be submitted to the State of Colorado until after Local Licensing Authority approval.***

TOWN USE ONLY

Date Received: _____ Received By: _____

Application Complete: Yes No

If No, Deficiency Notice Sent: _____ By: _____

Hearing Required: Yes No

Hearing Date Scheduled: _____ Agenda Date: _____

Proof of Posting Received: Yes No Date: _____

Forwarded to LED Date: _____ By: _____

EXHIBIT B**Transfer of Ownership Application Requirements & Checklist****Town of Red Cliff, Colorado****Applicant / License Information**

Current Licensee Name: _____

New Owner / Applicant Name: _____

Business Name: _____

Premises Address: _____

License Type: _____

Contact Person: _____ Phone: _____

Email: _____

Applicant Submittal Checklist

Submit the following items to the Town Clerk. All state forms must be the current LED versions.

A. State Forms

- Transfer of Ownership Application (LED form)
- Updated disclosure of Financial Interest / Ownership (LED form, if applicable)
- Individual History Record for each person required by LED
- Any additional license-type specific LED attachments

B. Proof of Possession

- Lease/deed/contract or other proof of legal right to occupy premises

C. Premises Documentation

- Current diagram of licensed premises (clearly showing boundaries and service areas)
- Updated diagram (if any proposed changes)

D. Background Investigation

- Fingerprints submitted through Colorado Bureau of Investigation (CBI)
- Proof of fingerprint submission (receipt/confirmation)

Note: Background checks required for applicant and individuals with 10% or more ownership interest, or as otherwise required by LED.

E. Business/Entity Documentation

- Certificate of Good Standing (if LLC/corporation)
- Updated operating agreement/corporate documents (if applicable)
- Assumed/trade name registration (if applicable)

F. Local Compliance

- Sales tax license number OR proof of application
- Description of business operations and intended use (brief)

G. Fees

- Local application fee (per current fee resolution)
- State fee acknowledgement*

****State fee payments shall not be submitted to the State of Colorado until after Local Licensing Authority approval.***

Temporary Permit Request (If Applicable)

- Temporary Permit request from the Town of Red Cliff
- Local Temporary Permit fee (per current fee resolution)
- Confirmed eligibility under state law

TOWN USE ONLY

Date Received: _____ Received By: _____

Application Complete: Yes No

Deficiency Notice Sent (if needed): _____

Hearing Required: Yes No

Temporary Permit Issued: Yes No Date: _____

Forwarded to LED Date: _____ By: _____

EXHIBIT C**Renewal Application Requirements & Checklist****Town of Red Cliff, Colorado****License Information**

Licensee Name: _____

Business Name: _____

Premises Address: _____

License Type: _____

Manager/Contact: _____ Phone: _____

Email: _____

Applicant Submittal Checklist:

- State Renewal Application (LED form)
- Updated contact information (licensee and manager)
- Confirmation of no material changes to the premises or operation
- Sales tax license number (or confirmation)
- Local renewal fee (per current fee resolution)
- State renewal fee acknowledgement (per LED requirements)*

**State fee payments shall not be submitted until after LLA approval.*

TOWN USE ONLY

Date Received: _____ Received By: _____

Complete: Yes NoCompliance Review Completed: Yes NoComplaints/Enforcement Concerns: No Yes (attach summary)Renewal Processed: Administrative Hearing Required

Forwarded to LED Date: _____ By: _____

EXHIBIT D**Special Event Permit Requirements & Checklist****Town of Red Cliff, Colorado****Event Information***

Organization/Applicant: _____

Event Name: _____

Event Date(s): _____

Event Hours: _____

Event Location: _____

Primary Contact: _____ Phone: _____

Email: _____

Applicant Submittal Checklist

- State Special Event Permit Application (LED form)
- Event site plan showing alcohol service boundaries
- Security/public safety plan (if applicable)
- Traffic/parking plan (if applicable)
- Proof of insurance (if required)
- Property owner authorization (if not owned by applicant)
- Local fee (per current fee resolution)

***Eligibility Requirements:** Special Event Permits are limited to eligible applicants under state law.

Only specific entities may apply for this permit, including nonprofits that are incorporated for social, fraternal, patriotic, political, religious, or athletic purposes and not for private gain; political candidates who have filed all required reports with the Colorado Secretary of State; government entities such as municipalities, counties, or special districts; and qualifying state agencies, including state institutions of higher education.

TOWN USE ONLY

Date Received: _____ Received By: _____

Complete: Yes No

Referral(s) Needed: LED Law Enforcement Fire Other _____

Approved: Yes No Date: _____

Forwarded/Filed Date: _____ By: _____

EXHIBIT E

Change of Manager — Requirements & Checklist

Town of Red Cliff, Colorado

License Information

Licensee Name: _____

Business Name: _____

Premises Address: _____

License Type: _____

Outgoing Manager Name: _____

Incoming Manager Name: _____

Phone: _____ Email: _____

Licensee Submittal Checklist

- LED Change of Manager Form (current version)
- Manager identification/contact information
- Fingerprints submitted through Colorado Bureau of Investigation (CBI)
- Local processing fee (per current fee resolution)

TOWN USE ONLY

Date Received: _____ Received By: _____

Complete: Yes No

Forwarded to LED: Yes No Date: _____

Local Records Updated: Yes No Date: _____

EXHIBIT F

Report of Changes — Requirements & Checklist

Town of Red Cliff, Colorado

License Information

Licensee Name: _____

Business Name: _____

Premises Address: _____

License Type: _____

Type of Change Reported: _____

Effective Date of Change: _____

Licensee Submittal Checklist

- LED Report of Changes Form (current version)
- Supporting documentation (entity amendments, name change, trade name, etc.)
- Certificate of Good Standing (if applicable)
- Local processing fee (if applicable, per current fee resolution)

TOWN USE ONLY

Date Received: _____ Received By: _____

Complete: Yes No

Triggers Hearing/Transfer?: No Yes (explain) _____

Forwarded to LED: Yes No Date: _____

Local Records Updated: Yes No Date: _____

EXHIBIT G**Modification / Change of Premises — Requirements & Checklist****Town of Red Cliff, Colorado****License Information**

Licensee Name: _____

Business Name: _____

Premises Address: _____

License Type: _____

Requested Modification (brief): _____

Licensee Submittal Checklist

- LED Modification/Change of Licensed Premises Form (current version)
- Updated premises diagram (highlight changes)
- Proof of possession for expanded areas (if applicable)
- Building/fire approvals or permit status documentation (if applicable)
- Local processing fee (per current fee resolution)

TOWN USE ONLY

Date Received: _____ Received By: _____

Complete: Yes NoZoning Verified: Yes NoInspections Needed: None Building Fire Other _____Hearing Required: Yes No

LLA Action Date (if applicable): _____

Forwarded to LED Date: _____ By: _____

EXHIBIT H

Temporary Permit — Requirements & Checklist

Town of Red Cliff, Colorado

Applicant / Transfer Information

Applicant Name: _____

Business Name: _____

Premises Address: _____

Associated Transfer Application Submitted: Yes No

Transfer Application Date Received: _____

Applicant Submittal Checklist

- Temporary Permit Request Form (LED)
- Proof of possession of premises
- Confirmation transfer application is complete/accepted
- Local temporary permit fee (per current fee resolution)

***Eligibility:** Temporary permits may be issued only as authorized by the Colorado Liquor Code, generally in connection with a pending Transfer of Ownership application or in limited circumstances involving transfer of possession by operation of law (e.g., bankruptcy, receivership, foreclosure, or court order).

TOWN USE ONLY

Eligibility Confirmed: Yes No

Temporary Permit Issued: Yes No Date: _____

Forwarded to LED: Yes No Date: _____

EXHIBIT I**Liquor License Application Timeline & Process Overview****Town of Red Cliff, Colorado**

Note: Timeframes are estimates and may vary depending on application completeness, inspections, background check timing, and hearing scheduling. This is specific to a NEW liquor license or transfer of ownership application.

Action	Responsible Party	Estimated Time	Description
Application materials obtained	Applicant	~15 minutes	Applicant contacts Town Clerk or downloads materials.
Complete & submit application	Applicant	Variable	Applicant submits completed application package and fees.
Initial town review	Town Clerk / Town Attorney	1–7 business days	Clerk reviews for completeness and zoning compliance.
Background investigation	Applicant(s) via Local law enforcement / CBI	3–7 days	Fingerprints submitted and background check processed – any person with 10% or more interest in the business.
Review background results	Town Clerk / Town Attorney	1–5 business days	Determination if additional information is needed.
Inspections	Planning / Building / Fire	1–2 weeks	Premises inspected to verify compliance with zoning, building, and fire codes.
Hearing date scheduling	Town Clerk	1–5 business days	Hearing scheduled no sooner than 30 days after acceptance.
Notice publication & posting	Town Clerk / Applicant	10+ days before hearing	Notices posted in public locations and at the premises.
Public hearing	Local Licensing Authority & Applicant	<i>Meetings are the 1st and 3rd Tuesdays of each month</i>	Hearing conducted for stakeholder input and evaluation.
Local authority decision	Local Licensing Authority	Within 30 days	LLA approves, denies, or conditions license issuance.
Forward to state	Town Clerk	1–5 business days	Application forwarded to Colorado DOR for review.
State review & approval	Colorado Department of Revenue	~1–4 weeks	State Liquor Enforcement Division reviews and issues decision.
License issuance	Town Clerk	1–5 business days	Town issues state & local licenses to applicant.
Posting at premises	Applicant	Upon receipt	License must be publicly displayed at business location.

EXHIBIT J

Public Notice Templates & Posting Affidavit Forms

Town of Red Cliff, Colorado

Template 1 — Town Hearing Notice (Posting)

NOTICE OF PUBLIC HEARING — LOCAL LICENSING AUTHORITY

Town of Red Cliff, Colorado

Hearing Date: _____ Time: _____ Location: _____

The Town of Red Cliff Local Licensing Authority will hold a public hearing regarding the following liquor license matter:

Applicant/Licensee: _____

Premises Address: _____

License Type / Action Requested: _____

Public comment may be provided at the hearing or submitted in writing to the Town Clerk prior to the hearing: 970-827-5303; clerk@townofredcliff.org.

Posted at official posting locations designated by Town resolution.

Town Clerk Signature: _____ Date Posted: _____

***POSTING REQUIREMENTS:** This will be posted at a minimum, at the official posting locations set by resolution each year.

Template 2 — Premises Posting Notice (Applicant Posting)

NOTICE OF LIQUOR LICENSE APPLICATION / HEARING

Applicant/Licensee: _____

Premises Address: _____

License Type / Action Requested: _____

Hearing Date: _____ Time: _____ Location: _____

Beginning on: _____ and ending on: _____

Comments may be made at the public hearing or submitted to the Town Clerk: 970-827-5303; clerk@townofredcliff.org.

***POSTING REQUIREMENTS:** This notice must be posted in a **conspicuous location** at or immediately adjacent to the premises and be **clearly visible to the public**. The notice must be printed and posted at a size **no smaller than 22 inches wide by 26 inches high (22" x 26")**. The notice must remain posted for the full posting period required by state law.

Template 3 — Affidavit of Posting (Applicant)

AFFIDAVIT OF POSTING — LIQUOR LICENSE NOTICE

I, _____, being duly sworn, state that I posted the required liquor license notice at the premises located at:

Beginning on: _____ and ending on: _____

The notice was posted in a location visible to the public and remained posted for the required period.

Signature: _____ Date: _____

Printed Name: _____