



Town of Silverton
Ordinance 2016-05

AN ORDINANCE AUTHORIZING THE SILVERTON BOARD OF TRUSTEES TO APPROVE AN ENTERTAINMENT DISTRICT WITHIN THE INCORPORATED TOWN LIMITS OF SILVERTON FOR USE OF A COMMON CONSUMPTION AREA BY A CERTIFIED PROMOTIONAL ASSOCIATION IN ACCORDANCE WITH C.R.S. 12-47-301(11)(f)

Whereas; the Local Licensing Authority is hereby authorized to: certify and decertify promotional associations; designate the location, size, security and hours of operation of common consumption areas; and allow attachment of licensed premises to common consumption areas consistent with C.R.S. 12-47-301(11)(c).

Whereas; the following standards related to promotional associations and common consumption areas are hereby adopted pursuant to the provisions of Section 12-47-301(11) C.R.S. as may be amended from time to time. The standards adopted herein shall be considered in addition to all other standards applicable to the issuance of licenses under the Colorado Liquor Code.

Whereas; Certification of a promotional association shall be applied for in a manner consistent with Section 12-47-301(11) C.R.S. as determined by the Local Licensing Authority and include the following minimum information:

1. A copy of the articles of incorporation and bylaws and a list of all directors and officers of the promotional association. A member of each licensed premise shall serve as one (1) of the directors on the board of the promotional association which shall have at least two (2) licensed premises attached to the common consumption area. Each director on the board must have proof of completion of State of Colorado Department of Revenue Liquor Enforcement Division approved Responsible Vendor Training annually.

2. A detailed map of the proposed common consumption area: including location of physical barriers, entrances and exits, location of attached licensed premises, and identification of licensed premises that are adjacent but not to be attached to the common consumption area. The size of the common consumption area shall not exceed the area approved as the Entertainment District within which the common consumption area is located, but may be a smaller area within the Entertainment District at any time, provided that the new area is clearly delineated using physical barriers to close the area to motor vehicle traffic and to limit pedestrian access.

3. A security plan including evidence of training and approval of personnel, a detailed description of security arrangements and the approximate location of security personnel within the common consumption area during operating hours.

4. A list of proposed dates and beginning and ending hours of operation of the common consumption area, subject to approval by the Local Licensing Authority.



5. Documentation showing possession of the common consumption area by the promotional association.

6. A list of the attached licensees listing the following information: liquor license number, a list of any liquor violations in the past three years, and a copy of any operational agreements.

7. An insurance certificate of general liability and liquor liability insurance naming the Town as an additional insured in a minimum amount of one million dollars (\$1,000,000.00).

8. Documentation of how the application addresses the reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, written testimony or otherwise in accordance with Section 12-47-301(11)(c)(III)(A) C.R.S.

9. Application fee of \$_____.

10. Upon approval of a certification by the Local Licensing Authority, the terms and conditions of the approval shall remain effective until and unless a revised or amended application is submitted to the Local Licensing Authority and approved using the same procedures under which the original application was approved.

Application for recertification of a promotional association must be made by January 31 of each year in a manner consistent with the provisions of this Section and include, but not be limited to:

A. A copy of any changes to the articles of incorporation, bylaws and/or the directors and officers of the promotional association.

B. All items noted under subsections (2) through (9) above.

Once certified by the Local Licensing Authority as a promotional association, the association may operate a common consumption area within the Entertainment District and authorize attachment of a licensed premises to the common consumption area by a certified promotional association shall be made in a manner consistent with the provisions of this Section and include, but not be limited to the following information:

a. Authorization for attachment from the certified promotional association.

b. Name of the representative from the licensed premises proposed for attachment who would serve as an additional director on the board of the certified promotional association.

c. A detailed map of the common consumption area including: location of physical barriers, entrances and exits, location of attached licensed premises, identification of licensed premises that are adjacent but not to be attached to the common consumption area and approximate location of security personnel.



d. The Local Licensing Authority shall consider merits of the application for a promotional association of a common consumption area and may refuse to certify or may decertify a promotional association if the association:

1. Fails to submit the annual report as required by January 31 of each year;
2. Fails to establish that the licensed premises and common consumption area can be operated without violating this article or creating a safety risk to the neighborhood;
3. Fails to have at least two (2) licensed premises attached to the common consumption area, with proof of Responsible Vendor Training completed by the Licensees;
4. Fails to obtain or maintain a properly endorsed general liability and liquor liability insurance policy that is reasonably acceptable to the Local Licensing Authority and names the Town as additionally insured;
5. Fails to demonstrate that the use is compatible with the reasonable requirements of the neighborhood or the desires of the adult inhabitants; or
6. Is in violation of Section 12-47-909 C.R.S., as may be amended from time to time, related to common consumption area operations.

INTRODUCED, APPROVED ON FIRST READING AND ORDERED PUBLISHED ONCE IN FULL on this 12th day of Sept., 2016.

INTRODUCED AND ADOPTED ON SECOND READING on this 12th day of Sept., 2016.


Michelle J. Hamilton, Clerk/Treasurer


Christine M. Tookey, Mayor