

FIRST READING: September 3, 2019

SECOND READING: September 17, 2019

ORDINANCE NO. 6337

AN ORDINANCE AMENDING SECTION 8.08.030 OF THE LOVELAND MUNICIPAL CODE TO INCREASE THE NUMBER OF DAYS TASTINGS ARE PERMITTED

WHEREAS, Section 44-3-301(10), C.R.S., authorizes local jurisdictions to allow retail liquor stores and liquor-licensed drugstores to conduct sample tastings of malt, vinous, or spirituous beverages in their establishments without charging for such samples; and

WHEREAS, Section 44-3-301(10)(c)(V), C.R.S., authorizes tastings to occur only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11 a.m. or later than 9 pm; and

WHEREAS, Section 44-3-301(10)(c)(VII), C.R.S., authorizes licensees to promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, destroy the samples immediately following the completion of the tasting, or store any open containers of unconsumed alcohol beverages in a secure area outside the sales area of the licensed premises for use at a tasting conducted at a later time or date; and

WHEREAS, Section 44-3-301(10)(c)(XI), C.R.S., authorizes tastings to occur on no more than one hundred fifty-six days per year; and

WHEREAS, on December 6, 2005, City Council adopted on second reading Ordinance No. 5043, 2005, adopting provisions controlling alcohol tastings under new Chapter 5.37; and

WHEREAS, on July 19, 2016, City Council adopted on second reading Ordinance No. 6024, 2016, restricting the number of tastings to four of the six days from a Monday to the following Saturday, not to exceed one hundred and 4 days per year second reading; and

WHEREAS, there is interest within the regulated community in a Code change to increase the number of days tastings can occur to match the maximum number allowed by state law; and

WHEREAS, the City Council believes that allowing tastings of spirituous liquors and increasing the number of days such tasting is allowed, subject to the restrictions set forth in state law and City Code, will not adversely affect the health, safety, or welfare of the public.

WHEREAS, the City Council has determined that these proposed amendments to the City Code are desirable and in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. That Section 8.08.030 of the Loveland Municipal Code is hereby amended as follows:

8.08.030 Limitations on tastings.

- E. The licensee may conduct tastings only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11:00 a.m. or later than 9:00 p.m.;
- G. The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, destroy the samples immediately following the completion of the tastings, or store any open containers of unconsumed alcohol beverages in a secure area outside the sales area of the licensed premises for use at a tasting conducted at a later time or date
- K. The licensee may conduct tastings on no more than one hundred fifty-six days per year;

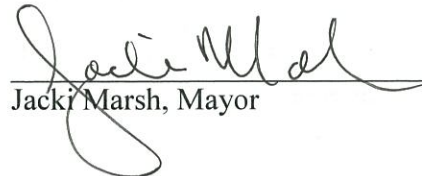
Section 2. That as provided in City Charter Section 4-9(a)(7), this Ordinance shall be published by title only by the City Clerk after adoption on second reading unless the Ordinance has been amended since first reading in which case the Ordinance shall be published in full or the amendments shall be published in full. This Ordinance shall be in full force and effect (10) days after publication following final adoption, as provided in City Charter Section 4-8(b).

ADOPTED this 17th day of September, 2019.

ATTEST:



City Clerk


Jacki Marsh, Mayor

APPROVED AS TO FORM:


Assistant City Attorney

Ordinance 6337

I, Patti Garcia, City Clerk of the City of Loveland, Colorado, hereby certify that the above and foregoing Ordinance was introduced at a regular (or special) meeting of the City Council, held on September 3, 2019 and was initially published in the Loveland Daily Reporter-Herald, a newspaper published within the city limits, in full on September 7, 2019 and by title except for parts thereof which were amended after such initial publication which parts were published in full in said newspaper on September 21, 2019.

A handwritten signature in blue ink, appearing to read "Patti Garcia", is written over a horizontal line.

Clerk

City

Effective Date: October 1, 2019