

Liquor Common Consumption

An overview for RNOs and community members
November 13 and 14, 2018

Timeline

2011

State statute authorized local jurisdictions to license common consumption of alcohol

2013-2016

PRC approval to pursue common consumption of alcohol in Denver

Concepts drafted but never advanced to City Council

Other cities adopted: Aurora, Central City, Glendale, Greeley, Telluride

2017

Renewed approval from Mayor to pursue licensing of liquor common consumption in Denver

2018

February
Convened City Department executives to decide direction

April-June
Internal workgroup to develop “how to” options

July-August
External “cluster meetings” to gather feedback on direction

Next Steps

Happening Now
Informational sessions with RNOs and City Council to gather feedback on direction

After the meetings
Consider feedback received and propose enabling ordinance

Terminology

Common Consumption Area (CCA)

- A designated area where patrons over the age of 21 can consume alcohol purchased from existing liquor-licensed establishments.
- Each CCA must be located within an ED.

Entertainment District (ED)

- An area of the city that is no larger than 100 acres and contains at least 20,000 sq. ft. of total liquor-licensed premises.
- Each ED must be approved by City Council.

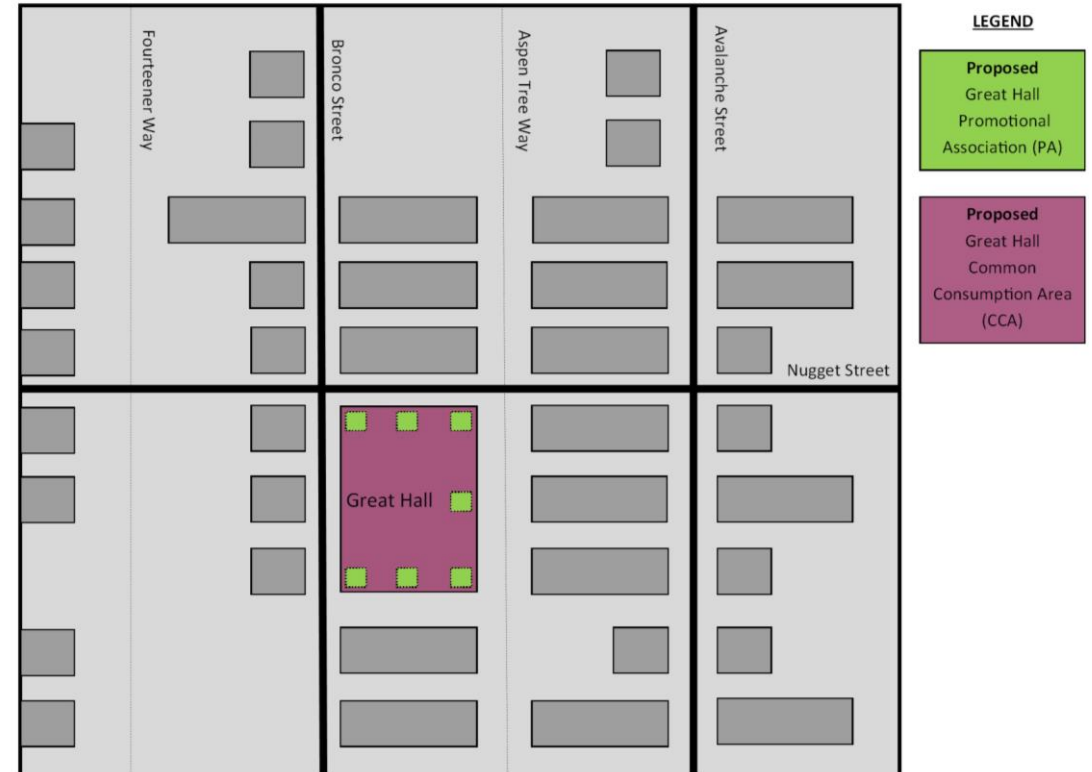
Promotional Association (PA)

- A group of at least two liquor-licensed businesses that join together for purposes of applying for a CCA license.
- PAs must be certified by EXL before obtaining a CCA license.

We want to have a CCA! What's next?

A group of interested liquor-licensed business owners would begin by forming a PA comprised businesses surrounding the area where they would like to have the CCA.

The PA would then apply with the Department of Excise and Licenses for PA certification and a CCA license (including identifying the boundaries of the CCA).



The first applicant also proposes the ED boundaries

The first applicant for PA certification and a CCA license will also have to propose the boundaries for the ED.

Remember, an ED is an invisible distinction that allows the PAs operating liquor-licensed businesses within the ED to apply for a CCA license.

City Council must approve the ED boundaries.



City Council has approved an ED. Now what?

Once City Council has established an ED, other businesses and associations are free to form PAs and apply for CCA licenses within that ED.

CCAs can look very different – some may consist of kiosks or separate rooms in a larger, enclosed space; some may be located in an alleyway shut off to traffic; and some may connect to several freestanding businesses.



Is a CCA similar to a special event?

A CCA license differs from a special event license because it allows existing liquor-licensed establishments to sell alcohol that may be consumed outside of that establishment's licensed premises.

A CCA license can be similar to a special event license if the PA wishes to use the CCA only during specified times.

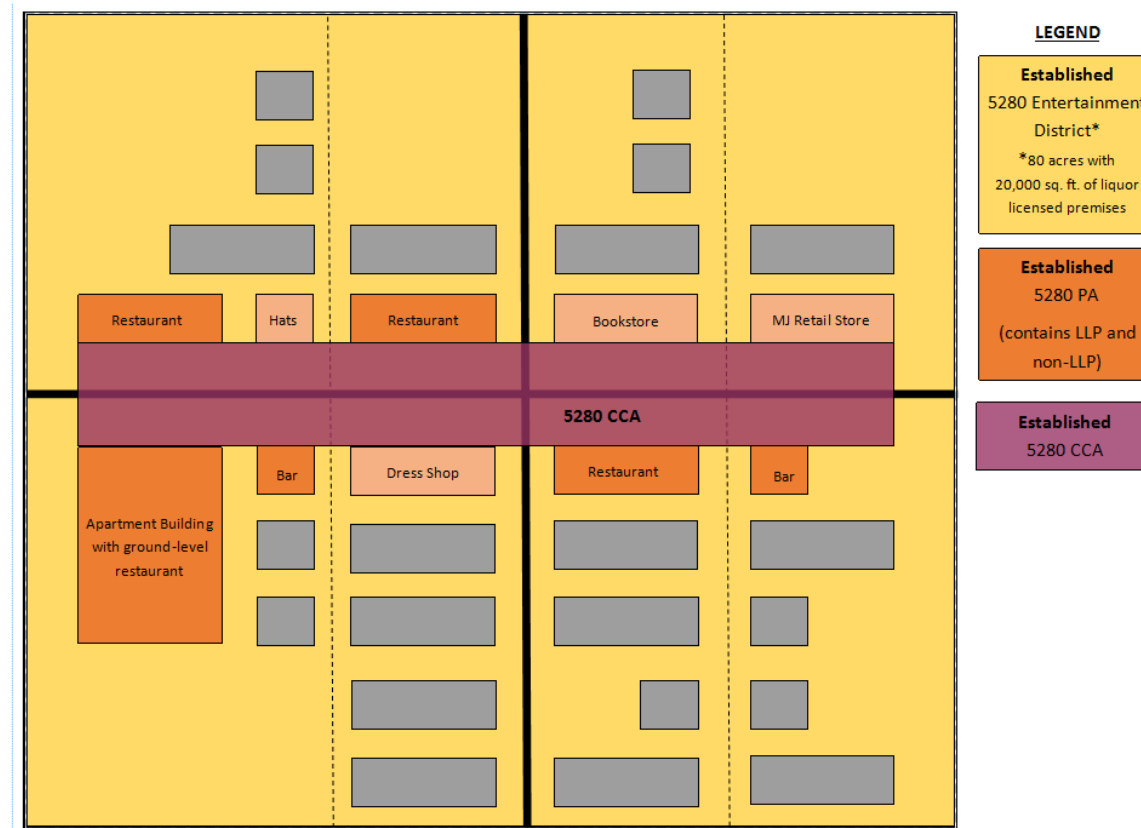
- Additionally, a CCA license would be reviewed by the same agencies that review special events and would have to meet the same requirements for any other special event.



Where can patrons take beverages in a CCA?

In this special event example, patrons of the orange restaurants and bars may take their beverage into the purple CCA and consume there as they travel up and down the street.

They may not take the beverage back into any other establishment, even another bar or restaurant.

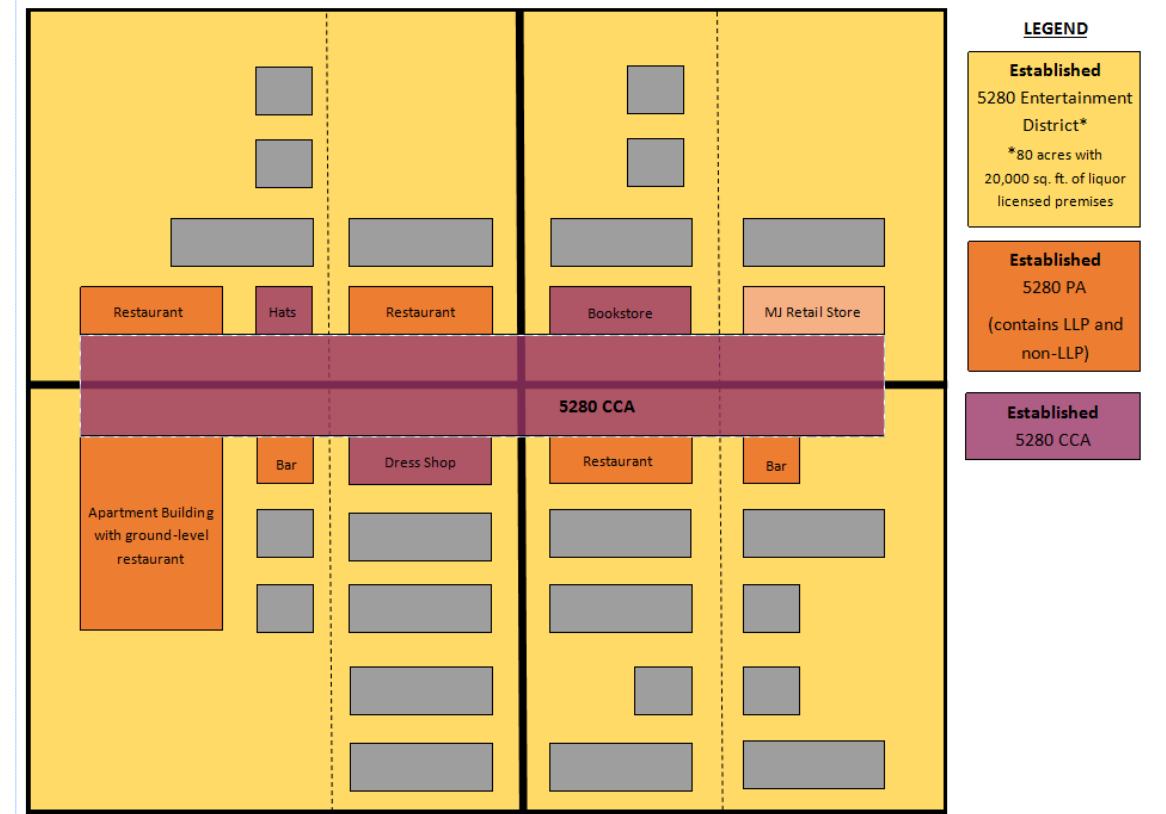


What does the “common area” include?

What about the Hat Store, the Dress Shop, and the Bookstore?

Can these non-liquor licensed retail businesses allow patrons from the liquor-licensed premises into their stores with an alcoholic beverage?

Should these businesses be required to be members of the PA if they are going to allow alcoholic beverages on their premises?



State Statute Requirements:

Use of physical barriers to ensure CCA is closed to motor traffic and limits pedestrian access.

PAs to submit a safety and security plan and file annual reports with the local licensing authority.

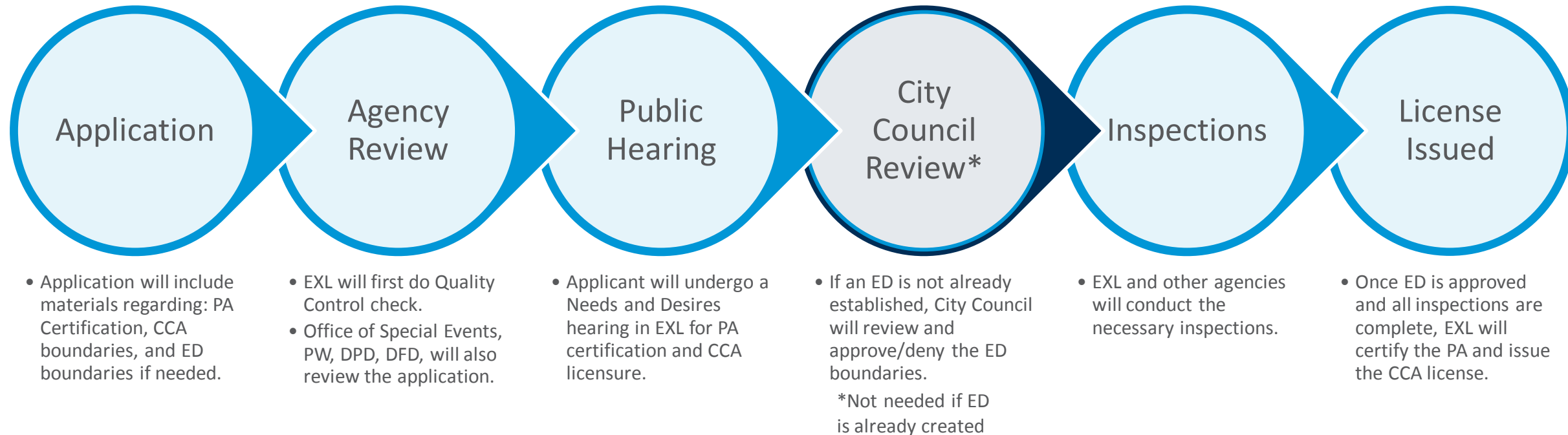
PAs to carry liability insurance for the CCA.

Proposed Pilot Program:

In addition to these major state statutory requirements, the proposed Denver pilot program would have the following characteristics:

- 5-year pilot program
- No limit on the number of EDs or CCAs
- Indoor and outdoor CCAs allowed
- CCAs would operate no later than 2:00 a.m. with hours set individually for each CCA
- PAs would be required to submit additional plans with their application:
 - Parking and Transportation
 - Health and Sanitation
- EXL would require Needs and Desires hearings for PA certification and CCA license
- Licensed CCA spaces may be used for special events

Proposed Process for Licensure



Questions & Feedback