

ORDINANCE AMENDING CHAPTER 2.17 OF THE CASTLE ROCK MUNICIPAL CODE REGARDING LIQUOR LICENSING

TOWN COUNCIL
JANUARY 21, 2025



LIQUOR LICENSING AUTHORITY

- The Liquor Licensing Authority conducts hearings for all new liquor license applications and liquor code violations.
- Initially, the Town Council served as the Liquor Licensing Authority for the Town of Castle Rock.
- In 1999, the Town Council amended the Town Code to assign this responsibility to an appointed citizen board.
- In 2015, the Town Council once again amended the Town Code to replace the citizen board with a sole hearing officer.

HEARING OFFICER

- Town Code Section 2.17.010.C requires that the hearing officer be an attorney licensed in Colorado and in good standing, with at least three years of experience as a practicing attorney.
- In 2019, Town Council amended the Town Code to allow Town Council to appoint the presiding municipal judge or an alternate municipal judge to serve as hearing officer.
- With the retirement of Judge Gresh, the Town Clerk and the Town Attorney recommend that Section 2.17.010.C be amended to eliminate the requirement that the hearing officer be a practicing attorney.
- This amendment will allow the Town Council greater flexibility in hiring the next hearing officer.

CHANGES REQUIRED BY S.B. 24-231

- In 2022, Governor Polis sent a letter to the Executive Director of the Colorado Department of Revenue asking him to convene a liquor advisory group to assist in the task of modernizing the Colorado Liquor Code.
- At the 2024 legislative session, the Colorado General Assembly passed Senate Bill 24-231, implementing the recommendations of the liquor advisory group.
- Among the many changes made by the Bill, three changes require amendments to Chapter 2.17 of the Town Code:
 - In most instances, new applications may be approved administratively;
 - Licensees in good standing can renew licenses every two years; and
 - Retail licensees may conduct tastings more frequently.

CHANGES REQUIRED BY S.B. 24-231

- Section 2.17.020.B will allow the Town Clerk to administratively approve all applications filed with the Liquor Licensing Authority, provided that public notice is given of the application in the manner required by State law.
- Section 2.17.020.C sets forth the circumstances under which the Town Clerk may forward an application to the Liquor Licensing Authority for a public hearing:
 - There is probable cause to believe that the renewal of a license may be denied for good cause
 - There is probable cause to believe an applicant or licensee may not be of good moral character
 - The application may be in conflict with a provision of State law
 - The public interest would be better served by a public hearing on the application
 - A party in interest has filed a written request with the Town Clerk for a public hearing.

CHANGES REQUIRED BY S.B. 24-231

- Section 2.17.030.B will allow the Town to issue a license for a two-year period at the time of license renewal if the applicant satisfies the requirements set forth in State law.
- Section 2.17.110.C will expand the hours within which tastings may be conducted by retail licensees from 11:00 a.m. to 7:00 p.m. to 10:00 a.m. to 9:00 p.m.
- Section 2.17.110.C will increase the number of days that retail licensees may conduct tastings from 104 days per year to 156 days per year.

PROPOSED MOTIONS

Approval:

"I move to approve Ordinance No. 2025-005 as introduced by title"

Alternate Motions:

Approval with Conditions

"I move to approve Ordinance No. 2025-005 as introduced by title, with the following condition(s):"

Continue item to next hearing (need more information to make decision):

"I move to continue Ordinance No. 2025-005 to the Town Council meeting on _____, 2025,"