

Tastings Permit Application Packet



Prepared by:
Manitou Springs City Clerk's Office
606 Manitou Avenue
Manitou Springs, CO 80829



CITY OF MANITOU SPRINGS Tastings Permit Policies and Guidelines

These policies and guidelines have been established to assist you with the application process and to ensure that your tasting event is run in an efficient and organized manner. Note that it is unlawful for any person or licensee to conduct tastings within the City unless a permit has been obtained.

There are two types of tasting permits that can be applied for by businesses located in Manitou Springs. One is issued by the State and the other is issued by the City. These are not dual-licensing permits.

State

The State issues **WINE TASTING PERMITS**. Only Limited Wineries or Distilleries licensed in Colorado may obtain a State wine tasting permit. A Limited Winery or Distillery is a business that has received a liquor license after submitting Form DR 8409 (Public Transportation, Wholesale, Manufacturer, Importer License Application). For more information, see C.R.S.12-47-403.

The purpose of a wine tasting permit is to allow the winery to sell wine outside of its normal liquor licensed premises.

In order to apply for a State wine tasting permit, the applicant must fill out Form DR 8057 (Application for Colorado Vinous or Spirituous Liquor Manufacturer Sales Room). When submitting the application, be sure to include all required documentation including a letter from the owner of the premises where the wine tasting will occur that gives the applicant permission to hold a wine tasting on the property (per question 8 on the form); and a diagram of the area where the wine will be sold that includes notations regarding where doors or barriers will be located that will ensure control of the area (per question 10 on the form).

The premises where the wine tasting will occur CANNOT already be a liquor licensed premises. For example, if the wine tasting is to be held in an art gallery, the art gallery cannot already have its own liquor license.

The wine tasting permit application (DR 8057) must be submitted directly to the State at least 10 days in advance of the event. Before issuing the permit, the State will contact the City to see if there is any reason the City objects to the issuance of the permit.

The State law governing wine tastings is Code of Colorado Regulations 47-428.

City

The City issues **LIQUOR TASTING PERMITS**. Only Retail Liquor Stores and Liquor-Licensed Drugstores may obtain a City liquor tasting permit in accordance with the Manitou Springs Municipal Code Section 5.20.120 and C.R.S. Section 12-47-301. The tasting can be conducted only by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division of the Department of Revenue.

The purpose of a tasting permit is to allow the retail liquor store or liquor-licensed drugstore to conduct tastings on the licensee's liquor licensed premises.

Liquor Licensing Board

In Manitou Springs, liquor licensing decisions are made by the City Council acting as the Liquor Licensing Board (herein, the "Authority"). The City Council is a quasi-judicial, seven-member board whose members are elected by the voters of Manitou Springs. Applications for City tasting permits must be submitted to the City Clerk who will forward them to the Authority. The Authority may reject the application if the applicant fails to establish that the licensee is able to conduct tastings without violating

the provisions of the City's regulations and procedures or if it is determined that the applicant is creating a public safety risk to the neighborhood.

Applicant Qualifications

In order to qualify for a tasting permit, an applicant must be a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division of the Department of Revenue **AND** be one of the following:

- A Retail Liquor Store Licensee or an employee of a Retail Liquor Store Licensee
- A Liquor-Licensed Drugstore Licensee or an employee of a Liquor-Licensed Drugstore Licensee

Steps in the Application Process

1. Obtain a tastings permit application packet from the Manitou Springs City Clerk at 606 Manitou Avenue. The Clerk will explain the application process and fees. If you are starting the application process from out of town, please call the Clerk's Office at 719-685-2554 or contact her at dkast@comsgov.com and she will mail a packet to you. You may also download an application packet at <http://www.manitouspringsgov.com/government/council/city-clerk>.
2. Complete the application. Use the document checklist included on the application to gather all the required documentation.
3. Obtain a Certificate of Training for the individual(s) who will conduct the tastings.
4. Complete an Oath of Applicant (included in this packet).
5. Submit the completed application, all the attachments and the **\$100 permit fee** made payable to the City of Manitou Springs to the City Clerk at least fifteen (15) days prior to a regularly scheduled Liquor Licensing Board Meeting. We suggest you keep a copy of your application for your records.

Regulations and Procedures

The alcohol used in tastings shall be purchased through a licensed wholesaler, licensed brew pub, or winery licensed pursuant to C.R.S. § 12-47-403 at a cost that is not less than the laid-in cost of such alcohol. Laid-in cost is defined as "the cost incurred by a wholesaler or supplier to place the goods in inventory, consisting of such costs as manufacturer's invoice price, freight, and state and local taxes."

The size of an individual alcohol sample shall not exceed one ounce of malt or vinous liquor or one-half of one ounce of spirituous liquor.

Tastings shall not exceed a total of five (5) hours in duration per day, which need not be consecutive.

Tastings shall be conducted only during the operating hours in which the licensee on whose premises the tasting occurs is permitted to sell alcohol beverages, and in no case earlier than 11:00 am or later than 7:00 pm.

Tastings may occur on no more than four (4) of the six (6) days from a Monday to the following Saturday, not to exceed one hundred four (104) days per year.

A log book must be maintained of all tastings and this book must be made available to the City immediately upon request. It is recommended that training certificates for all servers involved in tastings be maintained in this log book.

The Licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.

The Licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises or shall destroy the samples immediately following the completion of the tasting.

The Licensee shall not serve a person who is under twenty-one (21) years of age or who is visibly intoxicated.

The Licensee shall not serve more than four individual samples to a patron during a tasting.

Alcohol samples shall be in open containers and shall be provided to a patron free of charge.

No manufacturer of spirituous or vinous liquors shall induce a Licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The Licensee shall bear the financial and all other responsibility for a tasting.

A violation of any of the limitations specified herein by a retail liquor store or liquor-licensed drugstore licensee, whether by his or her employees, agents, or otherwise, shall be the responsibility of the retail liquor store or liquor-licensed drugstore licensee who is conducting the tasting and shall be subject to the same revocation, suspension and enforcement provisions as otherwise apply to the licensee.

Permit Renewal

Tasting Permits must be renewed annually subject to the same criteria as issuance of the initial license.

Alcohol Beverage Selling/Serving Guidelines

The dispensing of alcohol beverages is a highly regulated venture. Event organizers must promote responsible alcohol consumption and help ensure that excessive consumption does not occur. The two key areas of concern are **servicing to underage individuals** and **servicing to intoxicated individuals**. The following describes two important selling/serving guidelines for alcohol beverages:

- **DO NOT SERVE A PERSON WHO IS UNDER THE AGE OF 21 YEARS**

Anyone appearing to be under the age of 21 years should be asked for picture identification, preferably a valid driver's license, before being served.

- **DO NOT SERVE A PERSON WHO APPEARS TO BE INTOXICATED**

Responsible consumption is encouraged and event organizers should not knowingly allow guests to enter the event if obviously intoxicated, or allow a guest to become intoxicated at the event. Serving an intoxicated person is illegal and can subject the licensee and server to civil and criminal liability.

Those responsible for selling/serving should monitor the amount of alcohol consumed by guests and should be aware of any behavior changes that may occur as a result of drinking alcohol. Some reactions to watch for include slurred speech, poor coordination, dazed/glassy look in the eyes, aggressiveness, inability to complete sentences, swaying or drowsiness, spilling drinks or food, walking into people, inability to sit up straight, stumbling into objects, bloodshot eyes, inappropriate laughter, and inappropriate volume of speech.

IT IS THE RESPONSIBILITY OF THE LICENSE HOLDER FOR A TASTING EVENT AND ALL SERVERS TO OBEY ALL STATE AND LOCAL LAWS REGARDING THE SERVICE OF ALCOHOL. THE ABOVE-MENTIONED INFORMATION IS MEANT ONLY AS A GUIDELINE PROVIDED AS A COURTESY BY THE CITY OF MANITOU SPRINGS. IT DOES NOT RELIEVE THE LICENSE HOLDER AND SERVERS FROM ANY RESPONSIBILITY OF OBEYING ALL APPLICABLE LIQUOR CODES, STATUTES, OR REGULATIONS.

We wish you every success with your event! Should you have any questions or need additional information, feel free to contact the City Clerk's Office, 606 Manitou Avenue, Manitou Springs, CO 80829. (719) 685-2554 / dkast@comsgov.com



CITY OF MANITOU SPRINGS

**TASTINGS PERMIT
APPLICATION**

FEE: \$100.00

DATE: _____

Licensee Name: _____

DBA: _____

Address: _____

City, State, Zip: _____

Mailing Address (if different): _____

State License Number: _____ Business Phone Number _____

The above Licensee hereby requests a permit to conduct tastings at the location specified above. Licensee hereby acknowledges receipt of a copy of the City of Manitou Springs Regulations and Procedures for the Conduct of Tastings by a Retail Liquor Store or Liquor-Licensed Drugstore and agrees to the provisions contained therein.

The following documents must be attached to this application for a permit to be issued:

_____ Application Fee

_____ Certificate(s) of Training — for individuals who will conduct the tastings

_____ Oath of Applicant

Authorized Signature

Date

Printed Name and Title

APPROVAL OF LOCAL LICENSING AUTHORITY

City Clerk

Date

Liquor Licensing Authority Chair

Date



CITY OF MANITOU SPRINGS

**TASTINGS PERMIT
OATH OF APPLICANT**

____ I understand that any server working a tasting must have *already* completed a server training program that meets the standards established by the Liquor Enforcement Division of the Colorado Department of Revenue.

____ I understand that a log book must be maintained of all tastings and that this log book must be accessible to City of Manitou Springs personnel at all times. We recommend that training certificates for all servers involved in tastings be maintained in this log book.

____ I have received an excerpt of the tastings regulation but acknowledge that it is my responsibility to keep current on State and City rules and regulations.

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor and Beer Codes and all City of Manitou Springs rules, regulations and codes which affect my license.

Authorized Signature

Date

Print Name & Title

