

COUNCIL BILL NO. 23-006

ORDINANCE NO. 4839

AN ORDINANCE AMENDING ARTICLE IV – LIQUOR TASTINGS, OF CHAPTER 6,  
ALCOHOLIC BEVERAGES, OF THE ARVADA CITY CODE

WHEREAS, on November 8, 2022, Colorado held an election where voters passed Proposition 125 allowing grocery and convenience stores to sell wine as of March 2023; and

WHEREAS, Proposition 125 amended the Colorado Revised Statutes to automatically convert fermented malt beverage retailer licenses to fermented malt beverage and wine retailer licenses; and

WHEREAS, the new fermented malt beverage and wine retailer license allows licensees to offer tastings within their premises.

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

Section 1. Article IV – Liquor Tastings of Chapter 6, Alcoholic Beverages, of the Arvada City Code is hereby amended to read as follows:

**“ARTICLE IV. LIQUOR TASTINGS**

**Sec. 6-151. State law applicable.**

C.R.S. § 44-3-301(10), as may be amended from time to time, shall apply to tastings under this article.

**Sec. 6-152. Definition.**

*"Tastings"* means the sampling of malt, vinous, or spirituous liquors that may occur on the premises of a retail liquor store licensee, fermented malt beverage and wine retailer licensee, or liquor-licensed drugstore licensee by adult patrons of the licensee pursuant to the provisions of C.R.S. § 44-3-301(10).

**Sec. 6-153. Authorization.**

The city hereby authorizes the city clerk to accept applications for tastings to be conducted by retail liquor store, fermented malt beverage and wine retailer, and liquor-licensed drugstore licensees in accordance with this section and pursuant to C.R.S. § 44-3-301(10)(a).

**Sec. 6-154. Application for permit.**

Any retail liquor store, fermented malt beverage and wine retailer, or liquor-licensed drugstore licensee wishing to conduct tastings shall submit an application for a permit to the city clerk on forms provided by the city clerk's office. Such application shall be accompanied by a non-refundable annual fee as set by the city.

**Sec. 6-155. Term of permit.**

The tastings permit shall be valid for a period of one year, and shall run and expire concurrently with the license of the retail liquor store, fermented malt beverage and wine retailer, or liquor-licensed drugstore; except, that the first tastings permit issued to a retail liquor store, fermented malt beverage and wine retailer, or liquor-licensed drugstore licensee shall be valid only until the expiration of the current license.

**Sec. 6-156. Unlawful acts.**

It is unlawful for anyone to conduct tastings without first having obtained a permit to do so in accordance with this article.

**Secs. 6-157—6-160. Reserved.”**

Section 2. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The city council declares that it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. This ordinance shall be effective five days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED this 6th day of March, 2023.

PASSED, ADOPTED, AND APPROVED this 20th day of March, 2023.

*Marc Williams*

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Marc Williams, Mayor

ATTEST:

*Kristen Rush*

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City Clerk



APPROVED AS TO FORM:

Rachel A. Morris, City Attorney

By: Kylie Justus *RM*

Publication Dates:    March 9, 2023  
                                 March 23, 2023

***REDLINE/STRIKEOVER VERSION***

**FOR INFORMATION ONLY – NOT PART OF THE ORDINANCE**

Underlined indicates new material

~~Strikethrough~~ indicates deleted material

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