



## **TOWN OF EAGLE** **Special Event Liquor License**

It is unlawful to provide or sell alcoholic beverages at an event open to the public without a Special Event Liquor License. Applicant must discuss alcohol guidelines with Town Clerk at 970-328-9649. The premises must be posted at least 10 days prior to the event. At least 30 days should be allowed to obtain your license.

**When alcohol is served, or sold, an insurance liability certificate is required covering the premises and operations with a limit of liability of no less than \$1,000,000 covering bodily injury or property damage in a combined single limit, naming the Town of Eagle and its employees and officers as co-insured, insurance must be received two weeks prior to event.**

The applicant is responsible and assumes all risk regarding liabilities that may arise by those attending and drinking alcohol during an event. Applicant is responsible for ensuring that all persons who drink alcohol are of legal age and that all state alcohol laws are obeyed.

**Fee: \$100.00 per day/event to the Town of Eagle and is payable by check at the time of application submittal to the Town of Eagle.**

### **Special Event Liquor License Regulations (see additional questionnaire attached)**

1. A special event permit may be only issued to an organization which is nonprofit in nature or a political candidate who has filed the necessary reports and statements with the Colorado Secretary of State.
2. Each special event permit shall be issued for a specific location and is not valid for any other location (fencing may be required).
3. A special event permit authorizes sale of alcohol only between the hours of 5am of the day specified in the permit until 12am of the day immediately following.
4. A special event permit may not be issued to any organization for more than 15 days in one calendar year.
5. The state and/or local licensing authority may deny the issuance of a special event permit upon the grounds that such issuance would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct such event in compliance with the applicable laws and regulations.

The local licensing authority shall cause a hearing to be held if, after the investigation and upon review of the contents of any protest filed by affected persons, sufficient grounds appear to exist for denial of a permit. Any protest shall be filed by affected persons within 10 days after the date of notice.

Application Submittal Date: \_\_\_\_\_ Public Notice Posting Date: \_\_\_\_\_ Event Date: \_\_\_\_\_

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Town Clerk

Approval Date

# APPLICATION FOR SPECIAL EVENTS LIQUOR PERMIT

In order to qualify for a Special Events Permit, You Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)



<input type="checkbox"/> Social	<input type="checkbox"/> Athletic	<input type="checkbox"/> Philanthropic Institution
<input type="checkbox"/> Fraternal	<input type="checkbox"/> Chartered Branch, Lodge or Chapter	<input type="checkbox"/> Political Candidate
<input type="checkbox"/> Patriotic	<input type="checkbox"/> National Organization or Society	<input type="checkbox"/> Municipality Owned Arts Facilities
<input type="checkbox"/> Political	<input type="checkbox"/> Religious Institution	

<b>LIAB</b> Type of Special Event Applicant is Applying for: 2110 <input type="checkbox"/> Malt, Vinous And Spirituous Liquor      \$100.00 Per Day/Event Checks Made Payable to: TOWN OF EAGLE		<b>DO NOT WRITE IN THIS SPACE</b> Liquor Permit Number		
1. Name of Applicant Organization or Political Candidate		State Sales Tax Number (Required)		
2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)		3. Address of Place to Have Special Event (include street, city/town and ZIP)		
4. Authorized Representative of Qualifying Organization or Political Candidate		Date of Birth	Phone Number	
Authorized Representative's Mailing Address (if different than address provided in Question 2.)				
5. Event Manager		Date of Birth	Phone Number	
Event Manager Home Address (Street, City, State, ZIP)		Email Address of Event Manager		
6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year?		7. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?		
<input type="checkbox"/> No <input type="checkbox"/> Yes    How many days? _____		<input type="checkbox"/> No <input type="checkbox"/> Yes    License Number _____		
8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? <input type="checkbox"/> Yes <input type="checkbox"/> No				
List Below the Exact Date(s) for Which Application is Being Made for Permit				
Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.
Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.
Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.	Date Hours From .m. To .m.
<b>Oath of Applicant</b> I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.				
Signature		Title		Date
<b>Report and Approval of Local Licensing Authority (City or County)</b> The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended. <b>THEREFORE, THIS APPLICATION IS APPROVED.</b>				
Local Licensing Authority (City or County)		<input type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk	
Signature		Title	Date	
<b>DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY</b>				
<b>Liability Information</b>				
<b>License Account Number</b>	<b>Liability Date</b>	<b>State</b>	<b>Total</b>	
			<b>\$</b> <b>•</b>	
<b>(Instructions on Reverse Side)</b>				

## Application Information and Checklist

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

- Appropriate fee.
- Diagram of the area to be licensed (not larger than 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions. **Note:** If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- Copy of deed, lease, or written permission of owner for use of the premises.
- Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; **or**
- If not incorporated, a NONPROFIT charter; **or**
- If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- Application must first be submitted to the Local Licensing Authority (city or county) at least thirty (30) days prior to the event.
- Public notice of the proposed event and procedure for protesting issuance of the permit shall be conspicuously posted at the proposed location for at least (10) days before approval of the permit by Local Licensing Authority. (44-5-106 C.R.S.)
- State Licensing Authority must be notified of approved applications by Local Licensing Authorities within ten (10) days of approval.
- Check payable to the Colorado Department Of Revenue

### Qualifications for Special Events Permit

(44-5-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 4 and 3 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.



## **ADDITIONAL INFORMATION FOR SPECIAL EVENTS PERMITS**

Are you aware that as the event permittee, you are responsible for any violation of the Colorado Liquor Code?

Yes

No

Are you aware that you, as the Special Event Applicant, must account for all purchases and must remit sales tax on the gross sales from alcohol which needs to be file as a Special Event Remittance to the State of Colorado?

Yes

No

Are you aware that you MUST HAVE sandwiches or other food snacks available during all hours of service of alcohol beverages, except full meals are not required?

Yes

No

Are you aware that persons at least 18 years of age, but not 21 years of age, may sell, serve, dispense or distribute beer and wine as long as they are under the supervision of a person at least 21 years of age?

Yes

No

Are you aware that persons must be at least 21 years of age to purchase, possess and consume alcohol beverages in Colorado?

Yes

No

Are you aware that no one is allowed to carry alcohol on or off of the premises licensed for the Special Events Permit? (The only alcohol that can be at the event is the alcohol you are selling.)

Yes

No

What measures are you planning to take to ensure that nobody leaves the premises with alcohol? Please give a brief explanation.

Are you aware you can sell alcohol purchased from a licensed wholesaler, brew pub, vintner's restaurant, limited wintery, retail liquor store or liquor-licensed drugstore? It can also be donated by a licensed wholesaler.

Yes

No



Name of business your alcohol will be purchased or donated from:

Will your Alcohol products be stored away from the Special Event area and if so, please list the address, provide a diagram of the premises and provide proof of property possession (deed or lease) for this location?

Yes

No

I would like a copy of the Colorado Liquor Rules, Colorado Liquor Code or Special Events Permits rules?

Yes

No

While the Town of Eagle strives to provide permit applicants with the most accurate and timely information regarding State Statutes, the applicant assumes the responsibility to investigate and understand the liquor laws of the State of Colorado.

My signature below indicates that I have reviewed this questionnaire and understand my responsibilities as they relate to liquor at my event.

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Event Manager

Date

Colorado Liquor Codes and Rules can be found in the Colorado Revised Statutes Title 44, Article 5.

Insurance Certificate Received?

Yes

No

Insurance Certificate approved by CIRSA?

Yes

No



## **Resource Guide for Alcohol Beverage Service SPECIAL EVENTS PERMITS**

The Colorado Liquor Code establishes the mechanism to allow legal sale or service of alcoholic beverages to the public. The laws are written such that any situation that is not specified as permitted is deemed to be not permitted. Citizens can easily see situations where liquor is permitted, such as businesses that hold regular liquor licenses. Other situations are not as clear. This document is intended to be a guide in assisting those who do not regularly hold a liquor license, but may be able to serve alcohol under certain circumstances.

**This document is in no way intended to substitute for qualified legal advice. Please consult your attorney.**

**What:** A Special Event Permit authorizes the sale of alcohol beverages by the drink to the public and/or consumption of alcohol in a public place. The Special Event Permit allows the sale of malt, vinous, and spirituous liquor by the drink in open containers. The Statutory reference is found in C.R.S. 44-5-101.

**Who:** Those who qualify for Special Event Permits may or may not currently have a liquor license (i.e. Club or Art Licensees) and must be one of the following:

- Organizations that are nonprofit or charitable and have been incorporated pursuant to Colorado law for purposes of a social, fraternal, patriotic, educational, political, or athletic nature,
- A regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes, which is non-profit,
- An organization which is a regularly established religious or philanthropic institution,
- A political candidate who has filed the necessary reports with the Colorado Secretary of State or local election official,
- A municipality owning arts facilities at which productions of an artistic or cultural nature are held.
- Local Government entities, including special districts.

**Where:** A special event may be conducted on the licensed premises of a Club, Arts, Campus Complex or Limited Winery liquor licensed establishment, or other non-licensed locations.

**How:** The applicant must submit the following documents to the Town Clerk's office at least 45 days prior to the event.

- The appropriate document proving eligibility to conduct an event, usually a Certificate of Good Standing from the CO Secretary of States website will suffice.
- A property rental agreement, lease or letter of possession, which provides that the location may be used for event purposes being held by the applying entity.
- An outlined diagram of the proposed area, specifying dimensions and the method which will be used to control access.
- A completed Special Event application, including both state and local forms (if applicable).
- Appropriate fees.

**When:** The event must be held on the date, time, and location specified in the application and may not be changed. Fifteen event days are allowed per calendar year and may be held separately or in any combination. If an event is canceled, the application fees and the day(s) are forfeited. Sales may occur between the hours of 5 a.m. and midnight of the day specified for a 3.2% beer permit; and between the hours of 7 a.m., of the day specified, and 2 a.m. of the following day for malt, vinous and spirituous permits.

The Special Event Permit and an appropriate Minor Warning Sign must be conspicuously displayed during the event. Sandwiches or other food snacks shall be available during the hours of alcohol sale and service.

#### **Events Exempt from Special Events Permit Requirements**

There are situations where alcoholic beverages may be served without holding a Special Events Permit. Statutory reference for this exemption is found in C.R.S. 44-5-108. In order to qualify, all of the following criteria must be met:

1. The host entity must qualify to hold a Special Events Permit. Criteria are listed in the Special Events Permit section of this document. The host should be prepared to provide documentation to prove eligibility upon request by any law enforcement official.
2. Attendance to the event must be limited to members of the host entity and its guests only. Any host should know, in advance of the event, individual persons who are invited to attend. Most host entities will have regular membership lists. Some hosts, such as a political candidate, may not have such a list. Regardless of the source, invitations to the event must be pre-determined and available in writing if requested by law enforcement officials. The number of guests must be reasonable and may not be unlimited. Please see the Private Party section below for more discussion on qualifications for invited guests.
3. The event must be on private property not accessible by the public. There must not be a liquor license on this property. Areas normally open to the public, such as parks or city facilities, may qualify as private through an appropriate legal document (such as a Special Use Permit) giving the sponsor exclusive use of the area for the duration of the event. Adequate

control must be demonstrated to ensure access only to those eligible to attend. Please consider that civil liability may exist even when alcohol is served in a legal manner.

4. Alcohol must be served free of charge. If there is an admission charge to the event, it must be the same for all entrants, whether alcohol is consumed or not.

### **Private Parties**

Private parties are just that.... private. The Liquor Code only specifies how alcoholic beverages may be sold or served to the public. Therefore, there is no statutory reference for a private party.

So just what is a private party? Think of a dinner party in your home. You decide who to invite for a specified event and you provide food and alcohol at no charge. A large event may be a private party, but it still will have the same components as a party in your home.

Consider the following when deciding if your event will be a private party:

- Is the event open to the public? The answer must be no. An event is clearly public if it is advertised in any public venue, such as newspaper, Facebook, radio, television, or flyers/posters in public places. It also qualifies as public if a person not on the original guest list can acquire an invitation through purchase of a membership, ticket, or any other item that gains them admission to the event.
- Your guest list must contain names of specific individuals and be limited in number. While this number may be large, you as a host are still required to know the names on the list, and to ensure that only those invited attend the event.
- If a person who is not on the invited guest list contacts you and asks to be invited and you agree, then the event has just become open to the public.
- Your invitations may be directed to a particular individual only, an individual plus a guest, or an individual plus specified guests. An example would be a company holiday party, where employees and their families are invited. You as a host have an expectation of how many guests an employee may bring.
- You may not charge for alcohol in any way. This includes accepting donations or charging for admission.
- The host cannot provide glassware, mixers, or a location for a recurring event.

### **Catered Events**

Liquor licenses are only operational at the location of the permanent business. A caterer may not sell or serve alcohol in any way outside their regular licensed location. As host, you may have other options by way of a Special Events Permit or private party.

### **For more Information...**

As always, your attorney is your best source of guidance to ensure that your event is in compliance with the law. For information regarding the liquor license process, please contact the Town of Eagle Clerk's office at 970-328-9649 or [clerk@townofeagle.org](mailto:clerk@townofeagle.org)