City of Boulder
Finance Department · Licensing Division
1777 Broadway, Boulder, Colorado 80302 · 303 441-4192

MODIFICATION OF LICENSED PREMISES

CHECKLIST OF REQUIRED DOCUMENTS

If license is modifying premise according to state regulations or if applicant is applying for Transfer of Ownership and will be making changes to premise (modifications, include, but not limited to: increasing/decreasing seating capacity, adding/moving bar, adding or deleting a patio, removal of any interior walls, or changing the way alcohol is circulated in the premise etc.) then they are required to also submit the following:

☐ **Permit Application & Report of Changes** (State Form-DR8442) completed in pertinent areas and signed by authorized representative of applicant.

☐ **Proof of Possession** - Of the new area to be licensed (Deed, Lease, or Landlord Letter for Modification or new Area)

☐ **"Before" Floor Plan** - Must be submitted on 8-1/2" x 11" paper and must include all items referred to in "Rules of Procedure." Use a highlighter to indicate the area(s) that are currently licensed.

☐ **"After" Floor Plan** - Must be submitted on 8-1/2" x 11" paper and must include all items referred to in the "Rules of Procedure." Use a highlighter to indicate the area(s) that you want to have licensed.

☐ **Zoning/Planning Confirmation Sheet** (City Form) to confirm that change is in compliance with local Zoning laws (not required for Temporary Modifications).

☐ **Fees**

Permanent Modifications:
☐ State Application Fee $150.00 - Made payable to the "Colorado Department of Revenue"
☐ City Application Fee of $100.00- Made Payable to "City of Boulder".

Temporary Modifications for Events:
☐ State Application Fee $300.00- Made payable to "Colorado Department of Revenue"
☐ City Application Fee $50.00 - Made payable to the "City of Boulder"

☐ **Application Process**: Both Permanent Modifications and Temporary Modifications require a pre-scheduled in-person intake meeting with Licensing staff.

Permanent Modifications require posting for the legally required 10 day period, an Application Hearing before the Beverage Licensing Authority (BLA) and petitions should be submitted at least 9 days prior to the application public hearing to indicate the neighborhood's need and desire for the proposed change. If BLA approves application at hearing, licensing database should have change status updated to indicate form forwarded to state. For Permanent Modifications: when received back, applicant should be called or emailed to schedule premise inspection to observe modifications, collect Letter of Completion or Certificate of Occupancy indicating proper building permit close out, and to provide applicant with state approved copy of state form for their records.

Temporary Modifications require that the premise be posted for the legally required 10 day period, but that a BLA Hearing be held only if there is neighborhood or enforcement comment that would require a hearing. If negative comment is not received, Licensing staff may administratively approve Temporary Modifications for the City of Boulder without hearing and mail it to the state liquor enforcement division. Licensing database should have change status updated to indicate form forwarded to state. For Temporary Modifications, when received back, state approved copy of state form should be mailed to licensee applicant's business mailing address for their records.

Floor Plans Requirements for Liquor licensed premises according to BLA Rules of Procedure Section 3-3

Section 3-3 Plans & Specifications

The applicant shall file at the time of application plans and specifications for the interior of the building if the building to be occupied is in existence at the time. If the building is not in existence, the applicant shall file a plot plan and a detailed sketch for the interior and submit an architect's drawing of the building to be constructed.

Subsection 3-3-1 Plans & Specifications

All plans, specifications and detailed sketches or drawings shall be to scale on 8-1/2" x 11" paper and shall show the floor plan and layout of the interior of the building where the license is sought to be exercised.

If a liquor or fermented malt beverage on-premise license is applied for, the plans and specifications shall show, as a minimum, the following:

(A) A separate page for each level or floor to be licensed;
(B) Walls, partitions, entrances and exits;
(C) Dimensions of the premises;
(D) Clearly identify the nearest streets;
(E) Indicate the North direction;
(F) Clearly identify the bar(s);
(G) Clearly identify where alcohol shall be stored;
(H) Clearly identify any patio(s), if applicable;
(I) Identify the type of barrier surrounding the patio, if applicable;
(J) All tables and chairs;
(K) List the total seating capacity and,
(L) Where books and records will be stored.

If a hotel-restaurant license is applied for, plans and specifications shall, in addition to the above, show the following:

(M) The total floor area where meals shall be served;
(N) Location of all bar counters;
(O) Size and dimension of the kitchen and other food preparation areas;
(P) Location, number and kinds of ranges, stoves or ovens, refrigerators, food lockers, dishwashers, sinks and restrooms; and
(Q) Location and dimension of food storage areas, and any other fixtures and equipment to be installed and used in connection with the preparation and serving of meals.

COLORADO DEPARTMENT OF REVENUE
LIQUOR ENFORCEMENT DIVISION
DENVER, COLORADO 80261
(303)-205-2300

FOR DEPARTMENT USE ONLY

PERMIT APPLICATION AND REPORT OF CHANGES

CURRENT LICENSE NUMBER _____
ALL ANSWERS MUST BE PRINTED IN BLACK INK OR TYPEWRITTEN
LOCAL LICENSE FEE $ _____
APPLICANT SHOULD OBTAIN A COLORADO LIQUOR & BEER CODE BOOK TO ORDER CALL (303) 370-2165

1. Applicant is a

☐ Corporation ..... ☐ Individual
☐ Partnership ..... ☐ Limited Liability Company

PRESENT LICENSE NUMBER

2. Name of Licensee

3. Trade Name

4. Location Address

City

County

ZIP

SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.

Section A – Manager reg/change

• License Account No. _____

1983-750 (999) ☐ Manager's Registration (Hotel & Restr.)..$75.00

2012-750 (999) ☐ Manager's Registration (Tavern).....$75.00

☐ Change of Manager (Other Licenses) NO FEE

Section B – Duplicate License

• Liquor License No. _____

2270-100 (999) ☐ Duplicate License $50.00

Section C

2210-100 (999) ☐ Retail Warehouse Storage Permit (ea) $100.00

2200-100 (999) ☐ Wholesale Branch House Permit (ea).... 100.00

2260-100 (999) ☐ Change Corp. or Trade Name Permit (ea) . 50.00

2230-100 (999) ☐ Change Location Permit (ea)..... 150.00

2280-100 (999) ☐ Change, Alter or Modify Premises
$150.00 x _____ Total Fee _____

2220-100 (999) ☐ Addition of Optional Premises to Existing H/R
$100.00 x _____ Total Fee _____

1988-100 (999) ☐ Addition of Related Facility to Resort Complex
$75.00 x _____ Total Fee _____

DO NOT WRITE IN THIS SPACE – FOR DEPARTMENT OF REVENUE USE ONLY

DATE LICENSE ISSUED	LICENSE ACCOUNT NUMBER	PERIOD

-750 (999)	-100 (999)	The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.	**TOTAL AMOUNT DUE**	$ .00

INSTRUCTION SHEET

FOR ALL SECTIONS, COMPLETE QUESTIONS 1-4 LOCATED ON PAGE 1

☐ Section A

To Register or Change Managers, check the appropriate box in section A and complete question 8 on page 4. Proceed to the Oath of Applicant for signature (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

☐ Section B

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 4 for Oath of Applicant signature.

☐ Section C

Check the appropriate box in section C and proceed below.

1) ***For a Retail Warehouse Storage Permit,*** go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

2) ***For a Wholesale Branch House Permit,*** go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

3) ***To Change Trade Name or Corporation Name,*** go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

4) ***To modify Premise,*** go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

5) ***For Optional Premises or Related Facilities*** go to page 4 and complete question 9. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

6) ***To Change Location,*** go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.

STORAGE PERMIT

5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit

☐ **Retail Warehouse Permit for:**

☐ On–Premises Licensee (Taverns, Restaurants etc.)

☐ Off–Premises Licensee (Liquor stores)

☐ **Wholesalers Branch House Permit**

Address of storage premise: _____

City _____, County _____, Zip _____

Attach a deed/ lease or rental agreement for the storage premises.
Attach a detailed diagram of the storage premises.

CHANGE TRADE NAME OR CORPORATE NAME

6. Change of Trade Name or Corporation Name

☐ Change of Trade name / DBA only

☐ Corporate Name Change (Attach the following supporting documents)

1. Certificate of Amendment filed with the Secretary of State, or
2. Statement of Change filed with the Secretary of State, and
3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.

Old Trade Name	New Trade Name
Old Corporate Name	New Corporate Name

CHANGE OF LOCATION

7. Change of Location

NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of $750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 12-47-311 (1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.

Date filed with Local Authority _____ **Date of Hearing** _____

(a) Address of current premises _____

City_____County_____Zip_____

(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)

Address _____

City_____County_____Zip_____

(c) New mailing address if applicable.

Address _____

City _____ County _____ State _____ Zip _____

(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.

CHANGE OF MANAGER

8. Change of Manager or to **Register the Manager** of a Tavern or a Hotel and Restaurant liquor license.

(a) Change of Manager (attach Individual History DR 8404-I H/R and Tavern only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment?..... Yes ☐ No ☐

Does manager have a financial interest in any other liquor licensed establishment?..... Yes ☐ No ☐

If yes, give name and location of establishment _____

_____

MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY

9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility

NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.

(a) Describe change proposed _____

_____

_____

(b) **If the modification is temporary,** when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS $300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) .....Yes ☐ No ☐

(d) Is the proposed change in compliance with local building and zoning laws?.....Yes ☐ No ☐

(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises?

.....Yes ☐ No ☐

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

OATH OF APPLICANT

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

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY / COUNTY)

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 applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County)	Date filed with Local Authority

Signature	Title	Date

REPORT OF STATE LICENSING AUTHORITY

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date

CITY OF BOULDER
BEVERAGE LICENSING AUTHORITY
ZONING / PLANNING CONFIRMATION PRIOR TO LICENSE APPLICATION

Liquor License Applicant Completes Top Portion:

Applicant: _____ Trade Name: _____

Applicant Phone: _____ Applicant Email: _____

Premise Address: _____

Indoor Premise Square Footage: _____ Outdoor Patio Square Footage: _____

Approved Indoor Premise:_____, and Outdoor Patio: _____ Occupancy Load/Seating Capacity.

Hours of Operation: _____

[___] New [___] Transfer [___] Modification; Liquor License Type: _____

Applicant's Signature: _____ Applicant's Printed Name: _____

Responsive to C.R.S. 12-47-313(1) and (1)c which states in pertinent part, "(1) No application for the issuance of any license… shall be received or acted upon …(c) For a location in an area where the sale of alcohol beverages as contemplated is not permitted under the applicable zoning laws of the municipality, city and county, or county…" and Beverage Licensing Authority Rules of Procedure, Subsection 5-1-1 (c) available at: http://www.bouldercolorado.gov/files/Clerk/Licensing/Rules%20of%20Procedure.pdf

Applicant should bring this sheet AND PROPOSED PREMISE DIAGRAM complying with BLA Rule Section 3-3 et seq. to Licensing Clerk for the use of Boulder Planning and Zoning at 1739 Broadway-Park Central Building, 3rd Floor, 303-441-1880 to address the four below questions. NOTE: This review is for zoning purposes only and is not approval for any change of occupancy or use pertaining to the building code. A separate building permit is required for building modifications, including a change of use or occupancy.

Planning and Zoning Department Completes Bottom Portion:

_____ Is the Use at the Site Allowed?
YES/NO Comments/Limitations: _____

_____ Does the Use Require a Use Review or Site Review?
YES/NO Comments: _____

_____ If Use/Site Review is required has a Use Review/Site Review been approved?
YES/ NO Comments (such as Case Number/ Date of Approval): _____

_____ Are there any zoning restrictions or conditions of approval on the property
YES/NO that would prevent this property from being open from the hours of 7:00 am to 2:00 am?
Comments/ Limitations: _____

_____ _____
Planner's Signature Planner's Printed Name

_____ _____
Planner's Title Planner's Signature Date

Boulder Neighborhood Needs & Desire Petitioning

After you have completed your application and submitted it for consideration, the Licensing Office will set hearing dates for your neighborhood boundaries and for your application public hearing.

The neighborhood boundaries set are typically not less than 1/2 mile radius from the site proposed for a liquor license. The public hearing date will be not less than thirty (30) days from the date of receipt of your complete application by the Licensing Office.

The Beverages Licensing Authority (the "Authority") will set your neighborhood boundaries, usually at the hearing the month before your public hearing. You are welcome to attend your boundary setting hearing or to submit suggested boundaries, but you are not required to do so.

Before approving a liquor license application, the Authority must consider the reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, remonstrance, supporting witnesses or other evidence submitted by the applicant and by residents and business owners/managers of the designated neighborhood. In person witness testimony may be given at the hearing. Letters in favor or opposed to the application should be submitted prior to the hearing.

Although the law does not require that an applicant petition the neighborhood, it is the most common form of evidence presented. Signatures obtained from door to door petitioning must be from residents and business owners/managers of the Authority defined neighborhood. Please note that only door to door petitions will be considered by the Beverage Licensing Authority. For the resident petitions, all persons signing must be at least 21 years of age and reside in the neighborhood. For the business petitions, all persons signing must be at least 21 years of age and own and/or manage a business in the defined neighborhood. You must provide the Authority with sufficient evidence to support its findings that: 1) the reasonable requirements of the neighborhood establish a need for the issuance of the requested license, and 2) that the desires of the adult inhabitants dictate the issuance of the license. The Authority will also be looking to assure that a good sampling of the designated neighborhood was taken.

If you choose to use the petitioning method for proving neighborhood needs and desires, the "Resident Petition Form" and the "Business Petition Form" created by the Licensing Office must be used in this process. Each door to door petitioner must carry and show at the door a copy of the "Designated Neighborhood Map" and the "Existing Licenses List" provided by the Licensing Office. The prepared "Petition Results Summary" should also be included with your petition signature pages to summarize the results.

Each petitioner who has collected petition results door to door must include a signed "Affidavit of Circulator" that is notarized indicating that he/she personally witnessed each signature appearing on the petition and that, to the best of his/her knowledge, each signature is the signature of the person whose name it purports to be and that the address given opposite the person's name is the true residential or business address of the person signing the petition. Failure to affix a completed affidavit of circulator, including notarization, may cause petition invalidity concerns to be raised by the Authority.

There are professional petitioning firms that you may contract with; however, the decision to use any such firm is entirely yours. If you choose a professional petitioning firm, they must also use the prepared petition forms and results summary. This information is meant only as a guideline provided as a courtesy by the City of Boulder. Applicants are encouraged to consult a private attorney for answers to legal questions or concerns.