

Chapter 6 - ALCOHOLIC BEVERAGES  
ARTICLE III. - LICENSES AND PERMITS

DIVISION 3. - STANDARDS FOR ALCOHOLIC BEVERAGE TASTING PERMIT

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**Sec. 6-101. – Authorization.**

The liquor licensing authority is authorized to issue permits for alcoholic beverage tastings, as defined by the Colorado Liquor Code, to retail liquor store licensees or liquor-licensed drugstore licensees, subject to the provisions of the Colorado Liquor Code and this division.

State law reference — Authority to issue alcoholic beverage tasting permit, C.R.S. § 12-47-301(10).

**Sec. 6-102. – Permit required to conduct alcoholic beverage tastings.**

It shall be unlawful for any person to conduct alcoholic beverage tastings within the unincorporated areas of La Plata County without having first obtained a valid alcoholic beverage tastings permit from the liquor licensing authority as provided by this division, or in violation of any provision, restriction or limitation of an alcoholic beverage tastings permit if one has been issued.

**Sec. 6-103. – Conducting tastings.**

All alcoholic beverage tastings shall be conducted in compliance with this division and C.R.S. § 12-47-301(10), as amended from time to time, along with the following terms and conditions:

- (a) Alcoholic beverage tastings shall only be conducted by a person who has completed a server training program that meets the standards established by the Liquor Enforcement Division of the Colorado Department of Revenue;
- (b) Alcoholic beverage tastings shall only be conducted by a person who is a retail liquor store licensee, a liquor-licensed drugstore licensee, or an employee of a retail liquor store licensee or liquor-licensed drugstore licensee; and,
- (c) Alcoholic beverage tastings shall only be conducted on a retail liquor licensee's or liquor-licensed drugstore licensee's licensed premises.

**Sec. 6-104. – Alcohol used for tastings.**

All alcohol used for alcoholic beverage tastings shall comply with the following terms and conditions:

- (a) All alcohol used for alcoholic beverage tastings shall be purchased through a licensed wholesaler, licensed brew pub or winery licensed pursuant to C.R.S. 12-47-403, as amended from time to time;
- (b) All alcohol used for alcoholic beverage tastings shall be purchased at a cost that is not less than the laid-in cost of such alcohol;
- (c) The size of an individual alcoholic beverage sample of malt or vinous liquors shall not exceed one (1) ounce;
- (d) The size of an individual alcoholic beverage sample of spirituous liquors shall not exceed one-half (1/2) ounce;

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- (e) The licensee shall provide and use a measuring device to accurately control and measure the amount of each individual alcoholic beverage sample;
- (f) The licensee shall not serve more than four (4) individual alcoholic beverage samples to each patron during an alcoholic beverage tasting;
- (g) The licensee shall serve alcoholic beverage samples in open containers;
- (h) The licensee shall provide alcoholic beverage samples to patrons free of charge;
- (i) The licensee shall prohibit any patron from leaving the licensed premises with an unconsumed alcoholic beverage sample;
- (j) The licensee shall promptly remove all open and unconsumed alcoholic beverage samples from the licensed premises, or destroy the alcoholic beverage samples immediately following the completion of the alcoholic beverage tasting; and,
- (k) 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 an alcoholic beverage tasting.

**Sec. 6-105. – Timing of Alcoholic Beverage Tastings.**

A licensee shall conduct alcoholic beverage tastings in compliance with the following terms and conditions:

- (a) Alcoholic beverage tastings shall not exceed a total of five hours in duration per day, which need not be consecutive;
- (b) Alcoholic beverage tastings shall be conducted only during the operating hours in which the licensee on whose premises the tastings occur is permitted to sell alcoholic beverages, and in no case earlier than 11 a.m. or later than 7 p.m.; and,
- (c) 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.

**Sec. 6-106. – Responsibilities of Licensee.**

In conducting an alcoholic beverage tastings, a licensee shall have the following responsibilities:

- (a) The licensee shall not serve a person who is under twenty-one years of age;
- (b) The licensee shall not serve a person who is visibly intoxicated; and,
- (c) The licensee shall bear the financial and all other responsibilities for an alcoholic beverage tasting.

**Sec. 6-107. – Application; contents.**

(a) An application for an alcoholic beverage tasting permit shall be made to the county by a retail liquor store licensee or a liquor-licensed drugstore licensee upon forms to be furnished by the county for that purpose. The liquor licensing authority, in its sole discretion, may reject any application that does not meet the requirements of this section.

(b) The following information shall be provided as part of the application for an alcoholic beverage tasting permit:

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(1) A written work plan that establishes the following:

a. how the licensee can conduct alcoholic beverage tastings without violating the provisions of this division and C.R.S. § 12-47-301(10), as amended from time to time;

b. how the licensee can conduct alcoholic beverage tastings without creating a public safety risk to the neighborhood; and,

c. how the licensee will meet the terms and conditions set forth in Sections 6-103, 6-104, 6-105, and 6-106.

(2) A list of names of the persons who will be conducting the alcoholic beverage tastings along with a certificate of training completion from a program that meets standards established by the Liquor Enforcement Division of the Colorado Department of Revenue for each person on said list.

(3) A schedule of the planned dates and times when alcoholic beverage tastings will be held.

(4) A completed County application form and payment of required fee.

(5) Such other information as reasonably may be required to satisfy the liquor licensing authority that alcoholic beverage tastings will be conducted without violations of the Colorado Liquor Code or county regulations, and without creating a public safety risk to the neighborhood.

(c) Compliance with the terms and conditions set forth in this division and with C.R.S. 12-47-301(10), as amended from time to time, shall be a term and condition of any alcoholic beverage tasting permit issued by the liquor licensing authority, regardless of whether those terms and conditions are expressly set forth in the alcoholic beverage tasting permit.

(d) After an alcoholic beverage tasting permit is issued, any additions or changes to a schedule submitted with an application must be submitted in writing to the liquor licensing authority no later than ten (10) days prior to the first day when an added or changed alcoholic beverage tasting will be conducted. Failure to submit any such change or addition within the prescribed time period shall be a violation of this division.

(e) No application for an alcoholic beverage tasting permit shall be approved by the liquor licensing authority if the licensee's license has been suspended or revoked, or had any suspension held in abeyance or stayed by payment of a fine in lieu, during one year immediately preceding the date of the application. If an application has been granted and the licensee's license is subsequently suspended or revoked, or has any suspension held in abeyance or stayed by payment of a fine in lieu, the application and any scheduled alcoholic beverage tasting dates shall be cancelled until such time as the liquor licensing authority approves a new application.

**Sec. 6-108. – Permit; Initial and Renewal.**

(a) The initial alcoholic beverage tasting permit issued by the liquor licensing authority shall expire on the same date as the expiration of the liquor-licensed drug store or retail liquor store license. The initial alcoholic beverage tasting permit application fee shall not be prorated.

(b) Renewal of an alcoholic beverage tasting permit shall occur concurrently with the renewal of the liquor-licensed drug store or retail liquor store license.

**Sec. 6-109. – Violations.**

(a) A violation of any term or condition specified in this division or of C.R.S. § 12-47-301(10), as amended from time to time, by a retail liquor store or liquor-licensed drugstore licensee, whether by his or

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her employees, agents, or otherwise, shall be the responsibility of the retail liquor store or liquor-licensed drugstore licensee who is conducting the alcoholic beverage tasting.

(b) A retail liquor store or liquor-licensed drugstore licensee conducting an alcoholic beverage tasting shall be subject to the same revocation, suspension, and enforcement provisions as otherwise apply to the licensee.