

# JEFFERSON COUNTY LIQUOR LICENSING

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## TASTING PERMITS

### 5.80.2.17 Tasting Permits.

5.80.2.17.1 **Authorization.** The Liquor Licensing Authority is authorized to issue permits for alcohol 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 Policy.

5.80.2.17.2 **Permit required.** A person may only conduct a tasting, as defined in the Colorado Liquor Code, after first obtaining a valid tastings permit from the Liquor Licensing Authority following a public hearing. The Clerk to the Board is authorized to issue a renewal of the annual permit, without scheduling a public hearing before the Liquor Licensing Authority, upon receipt of payment of the annual permit fee, provided the licensee has not had its license suspended or revoked, or had any suspension held in abeyance or stayed by payment of a fine in lieu of suspension, during the one year immediately preceding the date of expiration.

5.80.2.17.3 **Conduct of Tastings.** Tastings shall be conducted only as follows:

5.80.2.17.3.1 By a person who has completed a server training program that meets standards established by the Liquor Enforcement Division of the Colorado Department of Revenue.

5.80.2.17.3.2 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.

5.80.2.17.3.3 On a retail liquor store licensee's or liquor-licensed drugstore licensee's licensed premises.

5.80.2.17.4 **Alcohol Used.** Alcohol served in tastings shall comply with the following:

5.80.2.17.4.1 All alcohol used must be purchased through a licensed wholesaler, a licensed brew pub, or a winery licensed under 12-47-403, C.R.S.

5.80.2.17.4.2 All alcohol used must be purchased at a cost that is not less than the laid-in cost of such alcohol.

5.80.2.17.4.3 The size of samples of malt or vinous liquors shall not exceed one (1) ounce.

5.80.2.17.4.4 The size of samples of spirituous liquors shall not exceed one-half (1/2) ounce.

5.80.2.17.5 **Time of Tastings.** A licensee shall only conduct tastings as follows:

5.80.2.17.5.1 The total time during which tastings shall be conducted may not exceed five (5) hours per day, although the hours do not need to be consecutive during the day.

5.80.2.17.5.2 Tastings shall only be conducted during operating hours in which the licensee is permitted to sell alcohol beverages, but in no case earlier than 11 a.m. or later than 7 p.m.

5.80.2.17.5.3 Tastings shall be conducted during no more than four of the six days in any week, Monday through the following Saturday, during which the licensee is licensed to sell alcohol beverages,

5.80.2.17.5.4 The total number of days during which a licensee may conduct tastings during a year shall not exceed one hundred four (104).

5.80.2.17.6 **Licensee Responsibilities.** In conducting a tasting, the licensee shall do the following:

5.80.2.17.6.1 Prohibit any patron from leaving the licensed premises with an unconsumed sample;

5.80.2.17.6.2 Promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, or destroy the samples immediately following the completion of the tasting;

5.80.2.17.6.3 Not serve a person who is under twenty-one (21) years of age or who is visibly intoxicated;

5.80.2.17.6.4 Not serve more than four (4) individual samples to a patron during a tasting;

5.80.2.17.2.6.5 Serve alcohol beverage samples in open containers, which shall be provided to each patron free of charge;

5.80.2.17.6.6 Bear the financial and all other responsibilities for a tasting;

5.80.2.17.6.7 Provide and use a measuring device to accurately control the amount of individual alcohol beverage samples.

5.80.2.17.7 No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or in-kind assistance to favor the manufacturer's products being sampled at a tasting.

5.80.2.17.8 **Application.** Application for a tastings permit shall be made to the Clerk to the Board on behalf of the Liquor Licensing Authority by a retail liquor store licensee or a liquor-licensed drugstore licensee upon forms provided by the Liquor Licensing Authority.

5.80.2.17.8.1 An applicant must establish the following:

5.80.2.17.8.1.1 That the applicant is able to conduct tastings without violating the provisions of the Colorado Liquor Code and of County regulations;

5.80.2.17.8.1.2 That the applicant is able to conduct tastings without creating a public safety risk to the neighborhood.

5.80.2.17.8.2 An application shall include the following, in addition to information required by the State Licensing Authority:

5.80.2.17.8.2.1 A completed County application form.

5.80.2.17.8.2.2 A schedule of dates and times when the tastings will be held.

5.80.2.17.8.2.3 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 who will be conducting tastings.

5.80.2.17.8.2.4 Such other information as reasonably may be required to satisfy the Liquor Licensing Authority that tastings will be conducted without violations of the Colorado Liquor Code or County regulations and without creating a public safety risk to the neighborhood.

5.80.2.17.8.3 A completed application for a tastings permit must be submitted to the Clerk to the Board on behalf of the Liquor Licensing Authority at least fifteen (15) days prior to the date of a

regularly-scheduled hearing of the Liquor Licensing Authority held before the date of the first tasting included in the schedule under the permit.

5.80.2.17.8.3.1 After a permit is issued, any additions or changes to a schedule submitted with an application must be submitted in writing to the Clerk to the Board no later than ten (10) days prior to the first day when an added or changed tasting will be conducted.

5.80.2.17.9 No application for a 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 tasting dates shall be cancelled until such time as the Liquor Licensing Authority approves a new application.