



# NEW APPLICATION

## Checklist – page 1

City Clerk's office 303-538-7230

9500 Civic Center Drive

Thornton, Colorado 80229-4326

- **ONE COMPLETE SET OF DOCUMENTS MUST BE SUBMITTED FOR INITIAL REVIEW**
- For final submittal one original set plus one copy (two if filing a concurrent application) must be submitted. Incomplete application documents will not be accepted. Allow six to eight weeks for background investigation and processing.
- This application packet is for a location that **does not** currently have a liquor license.
- Provide documents in order of the Checklist – pages 1 and 2 - Single-Sided - No Staples Please
- All documents and copies need to be legible and either typed or printed in BLACK ink on **8-1/2 x 11 size paper** only.
- ALL documents must be properly executed and correspond with name of applicant exactly.
- Fees payable to the City of Thornton and Colorado Department of Revenue as listed on the fee schedule.

### PLEASE COMPLETE AND SUBMIT THE FOLLOWING:

	Appropriate City & State fees attached (see Fee Schedule). (If Concurrent Review is requested to allow the State to review the application at the same time as the City, include an additional \$100.00 with the Colorado Department of Revenue fee).
	<b>Colorado License Application (Choose One)</b>
	State Form DR-8404 - Colorado <u>Liquor Retail</u> License Application
	State Form DR-8403 - Colorado <u>Fermented Malt Beverage</u> License Application
	Floor Plan of premises to be licensed ( <b>8-1/2" x 11" size only</b> ) <ul style="list-style-type: none"> <li>➤ Outline "Licensed Premises" in <b>RED</b> ink.</li> <li>➤ Include square footage, occupancy and seating capacity (if applicable).</li> <li>➤ Diagram needs to show seating and kitchen facilities for on-premises licenses.</li> </ul>
	State Form DR-8404-I - Individual History Record (each individual).

### ATTACH CITY OR STATE INVESTIGATION DOCUMENTS (IF APPLICABLE):

	<b>City Investigation</b>
	City Form 7* - Background Investigation Report (each individual).
	City Investigation - City Form 12* - Authorization and Consent to Release Information (each individual).
	Fingerprints* Taken at Thornton Police Department 720-977-5140. <b>Be sure to indicate to Thornton Police Department (Records) that it is for a liquor/beer license.</b> For individuals who are out of state, please include two original fingerprint cards with the application documents.
	<b>State Investigation</b>
	Master File letter (final letter clearing all individuals on the application must be submitted before the application can be considered by the LLA) (* Fingerprints and City Forms 7 and 12 are not required).
	Purchase Agreements or Stock Transfer Agreements.
	Notes or Loans (assumed, banks, previous owner).

### ATTACH CORPORATE DOCUMENTS (IF APPLICABLE):

	Articles of Incorporation date stamped by Secretary of State ( <a href="http://www.sos.state.co.us/pubs/business/main.htm">http://www.sos.state.co.us/pubs/business/main.htm</a> ).
	Certificate of Good Standing issued by the Colorado Secretary of State within the past two years (for existing corporations).
	Minutes of Corporate Meeting (elections, resignations, stock breakdown).
	Stock Certificates (100%).
	List of Officers/Stockholders/Directors of Parent Corporation (if applicable).

<b>ATTACH LIMITED LIABILITY COMPANY DOCUMENTS (IF APPLICABLE):</b>	
	Articles of Organization date stamped by Secretary of State.
	Copy of operating agreement.
	Certificate of Authority (if foreign company).
	Minutes of meetings reflecting acceptance of new members.

<b>ATTACH PARTNERSHIP DOCUMENTS (IF APPLICABLE):</b>	
	Partnership Agreement (not needed if Husband and Wife).
	Partnership Termination (if applicable).

<b>ATTACH SOLE PROPRIETOR AND HUSBAND AND WIFE PARTNERSHIP DOCUMENTS (IF APPLICABLE):</b>	
	State Form DR-4679 – Affidavit – Restrictions on Public Benefits
	<p>HB 1023, Immigration Law requires that you submit verification of lawful presence in the United States. To verify legal presence, please complete the Affidavit - Restrictions on Public Benefits and submit with a copy of one of the following documents:</p> <ul style="list-style-type: none"> <li>➤ Colorado Driver's license, or</li> <li>➤ US Military Card or Military dependant's card, or</li> <li>➤ UN Coast Guard Merchant Mariner Card, or</li> <li>➤ Native American Tribal Document</li> </ul>

<b>ATTACH THE FOLLOWING ADDITIONAL DOCUMENTS (ALL APPLICANTS):</b>	
	Provide a notarized affidavit stating establishment is not within 500 feet of a school - excluding 3.2% beer.
	<p>Provide a signed copy of Deed or Lease covering entire license period, Assignment of Lease if applicable with consent and acceptance.</p> <ul style="list-style-type: none"> <li>➤ The Lease must be in applicant's name (same entity name which appears on the application form and liquor license) and contain the address of the premises.</li> <li>➤ Copies of the original lease must be submitted along with an Assignment of Lease, if applicable.</li> </ul>
	City Form 5 - Zoning Referral signed by City Development Department.
	For Management other than licensee, refer to Manager's Registration Checklist and Instructions and submit appropriate forms – including the fingerprinting fee (excluding Retail Liquor Store & 3.2% Beer).

<b>INSTRUCTIONS:</b>	
	Retain New Application Instructions, attached, to refer to throughout the application process.
	Contact City of Thornton Building Inspection Division 303-538-7250 to submit six sets of plans for review before starting construction and/or to obtain a Certificate of Occupancy. If a development permit is required it must be issued before a Certificate of Occupancy can be issued. The City Clerk's office requires a copy of the Certificate of Occupancy <b>AFTER</b> approval of application and <b>BEFORE</b> licenses will be issued.
	A training video will be provided to applicants by the City Clerk's office.
	Picture of posted hearing sign due one week before the hearing.
	Contact Tri-County Health Department 303-220-9200 for an inspection, if applicable, prior to licenses being issued.
	Contact City of Thornton Sales Tax Division 303-538-7400 to submit City Sales Tax License Application.
	<p>State Sales Tax License <b>(4-6 weeks to process)</b></p> <ul style="list-style-type: none"> <li>➤ Contact Colorado Department of Revenue, 1375 Sherman Street, Room 112, Denver 303-238-7378</li> <li>➤ (<a href="http://www.revenue.state.co.us/TPS_Dir/wrap.asp?incl=salestaxforms">http://www.revenue.state.co.us/TPS_Dir/wrap.asp?incl=salestaxforms</a>).</li> </ul>
	Contact City Clerk's office for an Amusement Device License Application (5 or more machines), if applicable.

<b>DOCUMENT SUBMITTAL INSTRUCTIONS:</b>	
	<ul style="list-style-type: none"> <li>➤ <b>ONE COMPLETE SET OF DOCUMENTS MUST BE SUBMITTED FOR INITIAL REVIEW</b></li> <li>➤ For final submittal one <u>original</u> set plus one copy (two if filing a concurrent application) must be submitted. Incomplete application documents will not be accepted. Allow six to eight weeks for background investigation and processing.</li> <li>➤ This application packet is for a location that <b>does not</b> currently have a liquor license.</li> <li>➤ Provide documents <u>in order of the Checklist – pages 1 and 2 - <b>Single-Sided - No Staples Please</b></u></li> <li>➤ All documents and copies need to be legible and either typed or printed in BLACK ink on <b>8-1/2 x 11 size paper</b> only.</li> <li>➤ ALL documents must be properly executed and correspond with name of applicant exactly.</li> <li>➤ Fees payable to the City of Thornton and Colorado Department of Revenue as listed on the fee schedule.</li> </ul>
	You may copy the City forms as needed. City and State forms are also available on the web site at <a href="http://www.cityofthornton.net/cclk/lla/lla_information.asp">http://www.cityofthornton.net/cclk/lla/lla_information.asp</a> .
	<b>Contact Lucille Miller, Deputy City Clerk at 303-538-7215 if you have questions, need assistance, or to schedule an appointment for initial review.</b>
	Obtain a Sales Tax License from both the City Sales Tax Division 303-538-7400; and the Colorado Department of Revenue ( <b>4-6 weeks to process</b> ) 303-238-7378, 1375 Sherman Street, Room 112, State Sales Tax License. <b>The City and State can not issue the liquor/beer licenses until the sales tax licenses have been issued.</b>
	Contact the Building Inspection Division 303-538-7250 to submit six sets of plans for review before starting construction. If a development permit is required it must be issued before a Certificate of Occupancy can be issued. <b>The City can not issue the licenses until the Certificate of Occupancy has been issued.</b>
	<b>If changes are made to the floor plan after the LLA has considered the license application, a request to modify needs to be submitted for approval by the LLA and State.</b>
	The Lease must be in applicant's name (same entity name which will appear on the application form and liquor license) and contain the address of the premises. Copies of the original signed lease must be submitted along with an Assignment of Lease.
	If the manager is not the same as the applicant, please submit the required documents from the Manager's Registration Checklist and Instructions – including the fingerprinting fee (excluding Retail Liquor Store & 3.2% Beer).
	If the City is performing the investigation all Officers, Directors, Stockholders, Members of Limited Liability Companies and Partnerships holding more than 10% interest, and Sole-Proprietors and/or Managers will need to be fingerprinted. <b>Be sure to indicate to Thornton Police Department (Records) that it is for a liquor/beer license.</b> For individuals who are out of state, please include two original fingerprint cards with the application documents.
<b>ADDITIONAL INFORMATION</b>	
	The LLA Rules of Procedure and Chapter 42, Article II of the Thornton City Code are included in the packet for your information. You may also purchase a copy of the Colorado Liquor and Beer Code, from the State Forms Center, 4200 Garfield, Denver, Colorado 80216, telephone number 303-321-4164 (commodity number 615-82-66-1015), or from the City Clerk's office, telephone number 303-538-7230.
	If you have any exhibits or training materials you would like the LLA to consider, please provide nine copies at the hearing. It is the responsibility of the licensee to provide training for personnel involved in the sale and service of liquor and beer. In addition to the Thornton Police Department training video and classes, some vendors that have training programs include: Anheuser Busch (Training for Intervention Procedures by Servers – TIPS – <a href="http://www.buddenver.com">www.buddenver.com</a> ), Phone: 303-289-3421; and Colorado Restaurant Association (ServSafe Alcohol), Phone: 303-830-2972. A complete list of trainers that comply with State standards is on the State's web site: <a href="http://www.revenue.state.co.us/liquor_dir_wrap.asp?incl=responsiblevendors/vendors">http://www.revenue.state.co.us/liquor_dir_wrap.asp?incl=responsiblevendors/vendors</a>
	Pursuant to State Statute 12-47-313(1)(c), the City Clerk's office needs verification that the establishment is properly zoned prior to accepting a new license application. Please complete the first three questions on City Form 5 - Zoning Referral, then submit it with a copy of the site plan to the City Development Department. Submit signed copies of this form with your application.

<b>BOUNDARY, POSTING, AND PUBLISHING REQUIREMENTS</b>	
	After final submittal of the <u>complete</u> application documents - one <u>original</u> set plus one copy (two if filing a concurrent application), the City Clerk's office will notify the applicant of the public hearing date and boundaries of the neighborhood. The hearing date must be at least 30 days from the date of filing the application per State Statute; however, final submittal of documents must be made to the City Clerk's office <b>six to eight weeks</b> prior to the LLA meeting to allow sufficient time to complete the background investigation (meetings are generally held the third Wednesday of each month). If the boundaries are unacceptable the applicant has five days to notify the Deputy City Clerk and the matter will be scheduled for a boundary hearing at the next LLA meeting.
	The City Clerk's office will publish the notice of hearing in the <u>Northglenn/Thornton Sentinel</u> two weeks prior to the hearing.
	The Applicant will need to post the public notice sign(s) prepared by the City Clerk's office on the proposed premises at least ten days prior to the public hearing and submit pictures of the posted sign(s) at least one week prior to the hearing.
	The Applicant needs to ensure that the sign(s) remain posted for at least ten consecutive days prior to the hearing <b>including the hearing date</b> and verify by completing the Posting Verification Affidavit (supplied by the City Clerk's office), which includes the date posted, exact location, and daily log used to check the condition of the sign(s). The Affidavit needs to be notarized and submitted to the Deputy City Clerk just prior to the public hearing.
	If the City's posting board is used to display the sign, it will need to be returned to the City Clerk's office the day after the public hearing.
<b>PUBLIC HEARING AND OTHER PROCEDURES</b>	
	The applicant must appear before the Authority when the public hearing is held for a new license.
	Please refer to the Public Hearing Procedures and Types of Relevant Evidence for Public Hearings included in the application packet.
	<u>All applicants</u> have the burden of proving (1) that the inhabitants of the neighborhood desire that a license be issued, and (2) that the reasonable requirements of the neighborhood are not being met by existing outlets (with the exception of club licenses), C.R.S. 12-47-301. Present your evidence in the form of verbal testimony, petitions, or other means to support this as concisely as possible, and avoid repetitive testimony.
	<u>Petitions</u> - One manner of showing the needs and desires is by circulating petitions within the designated relevant neighborhood as shown on the boundary map. Many applicants use a marketing survey firm to circulate petitions. Sample petitions are available in the City Clerk's office should you decide to do your own survey. Petitions are due no later than 5:00 p.m. the Friday prior to the hearing.
	<u>Following the hearing</u> - If approved by the LLA allow two months for the State to process the application, unless you have requested concurrent review. The State will mail the approved license to the City Clerk's office. <b>Prior to issuance of licenses</b> you will need to provide copies of the City Sales Tax License, Certificate of Occupancy, and Tri-County Health Department inspection to the City Clerk's office.