

DEPARTMENT OF REVENUE

Liquor Enforcement Division

COLORADO LIQUOR RULES

1 CCR 203-2

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Regulation 47-302 Changing, Altering, or Modifying Licensed Premises.

Basis and Purpose. The statutory authority for this regulation is ~~located at~~ INCLUDES, BUT IS NOT LIMITED TO, subsections 44-3-202(1)(b), 44- 3-202(2)(a)(I)(A), and 44-3-202(2)(a)(I)(D), C.R.S. The purpose of this regulation is to establish procedures for a licensee seeking to make material or substantial alterations to the licensed premises, and provide factors the licensing authority must consider when evaluating such alterations for approval or rejection.

[PUBLISHING NOTE – Regulation 47-302 subsection (F) is currently in place on an emergency basis; however, it is LED's intent that the following version replace that subsection in its entirety. Thus, it has been included as a "new" subsection and appears in small caps below.]

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- F. DUE TO PUBLIC HEALTH CONCERNS RAISED BY THE PRESENCE COVID-19 IN COLORADO, A LICENSEE MAY APPLY TO TEMPORARILY MODIFY ITS LICENSED PREMISES TO FACILITATE SOCIAL DISTANCING BY EMPLOYEES AND CUSTOMERS AND TO FACILITATE COMPLIANCE WITH THE REQUIREMENTS OF APPLICABLE PUBLIC HEALTH ORDERS (*SEE* REGULATION 47-1102).
1. IF PERMITTED BY THE RELEVANT LOCAL LICENSING AUTHORITY, THE TEMPORARY PREMISES MODIFICATION MAY INCLUDE EXPANSION OF THE LICENSED PREMISES INTO OUTSIDE AREAS THAT THE LICENSEE POSSESSES IN ACCORDANCE WITH SUBSECTION (B)(2) OF THIS REGULATION, PROVIDED THAT:
 - A. ANY OUTSIDE AREA PROPOSED TO BE INCLUDED IN THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, IS CONTIGUOUS OR ADJACENT TO THE LICENSED PREMISES AND APPROPRIATELY MONITORED BY THE LICENSEE;
 - B. THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, WILL COMPRISE A DEFINITE CONTIGUOUS AREA;
 - C. THE LICENSEE WILL DESIGNATE THE BOUNDARIES OF THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, USING BARRIERS APPROVED BY THE LOCAL LICENSING AUTHORITY AND STATE LICENSING AUTHORITY AND POST WARNING SIGNS IN AREAS VISIBLE TO THE PUBLIC, INCLUDING ALL POINTS OF INGRESS AND EGRESS, REGARDING LAWS AGAINST PUBLIC CONSUMPTION OF ALCOHOL BEVERAGES;
 - D. THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, WILL NOT ENCROACH UPON OR OVERLAP WITH THE LICENSED PREMISES OF ANY OTHER LICENSEE;
 - E. THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, COMPLIES WITH LOCAL BUILDING AND ZONING LAWS; AND

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- F. THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, COMPLIES WITH ALL OTHER RESTRICTIONS AND REQUIREMENTS IMPOSED BY THE COLORADO LIQUOR CODE AND RULES.
2. A TEMPORARY MODIFICATION OF A LICENSED PREMISES PURSUANT TO THIS SUBSECTION (F) MAY BE APPROVED BY THE STATE AND LOCAL LICENSING AUTHORITIES AFTER THE FILING OF A TEMPORARY MODIFICATION OF PREMISES APPLICATION ON A FORM APPROVED BY THE STATE LICENSING AUTHORITY, INCLUDING PLANS AND SPECIFICATIONS OF THE LICENSED PREMISES, AS TEMPORARILY MODIFIED, AND A ONE-TIME PAYMENT OF THE MODIFICATION OF LICENSED PREMISES FEE SET FORTH IN REGULATION 47-506.
3. ANY TEMPORARY MODIFICATION APPROVED PURSUANT TO THIS SUBSECTION (F) SHALL EXPIRE ON OCTOBER 31, 2021, UNLESS THE RELEVANT LOCAL LICENSING AUTHORITY IMPOSES AN EARLIER EXPIRATION DATE. A LICENSEE IS NOT REQUIRED TO PAY AN ADDITIONAL MODIFICATION OF LICENSED PREMISES FEE OR OBTAIN APPROVAL TO REMOVE A TEMPORARY MODIFICATION TO THE LICENSED PREMISES UPON EXPIRATION OF THIS SUBSECTION (F).
4. THIS SUBSECTION (F) IS EFFECTIVE UNTIL OCTOBER 31, 2021 AND IS REPEALED EFFECTIVE NOVEMBER 1, 2021.