



CLERK TO THE BOARD

PHONE: (970) 400-4225

FAX: (970) 336-7233

1150 O STREET

P.O. BOX 758

GREELEY, COLORADO 80632

www.weld.gov

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LIQUOR ADVISORY GROUP
COLORADO LIQUOR ENFORCEMENT DIVISION

RE: OPPOSITION TO PROPOSAL 20 (A) and 20(B)

To Whom It May Concern:

Discussion Regarding Concurrent Review of All Application Types

Concurrent review of all application types would create an increase in staff processing time for both the Liquor Enforcement Division (LED) and the local licensing authority. I appreciate that LED is attempting to streamline the process for applicants, but in reality, sending incomplete applications to LED for review before the local licensing authority has reviewed, will only create more confusion for applicants by causing correspondence to come from two different agencies and a discrepancy between application packets if one agency accepts a document and either forgets to forward it to the other or doesn't realize the other wasn't copied on the email from the applicant.

If LED would like to review applications earlier to allow increased processing time, I propose LED only requires COMPLETE application packets be forwarded for concurrent review. Once the local licensing authority has finished reviewing the application packet and deemed it complete for acceptance, a copy will be forwarded to LED to begin the review process. However, this might still create increased processing time for LED because a completed packet will have to be swapped with the preliminary packet after the local licensing authority hearing.

I believe the best solution is to target when applications are being submitted. If applications were submitted on-time to the local licensing authority, ideally, LED would receive a copy approximately 30-days prior to expiration. The application submitted to LED should be complete to avoid LED having to require further documentation or corrections.

Discussion Regarding Application Packet Submittal Methods

If LED is receiving paperwork from three (3) different platforms (sometimes via all three [3] platforms simultaneously), Weld County would be open to LED requiring all applications be submitted via only one (1) platform, whichever LED most prefers. For example, all local licensing authorities could be required to only submit applications via the State's online platform. We could require applicants pay the State fee online so there would be no need for mailed applications any longer. However, because of the timing requirements for processing these applications, the division could be receiving payment well in advance of the application packet itself. Would it be possible to increase the amount of time LED is authorized to retain payment?

Receiving Application Packets in a Timely Manner

I have received feedback from a couple of different applicants that their blank renewal application wasn't mailed to them on-time, so I provided the form template from LED's website. These applicants hadn't moved, so their mailing address on file was correct. It is possible that it was lost in the mail, but that could be a contributing factor to renewal applications not being forwarded to LED on-time. Likewise, LED must also consider that a lot of local licensing authorities do not have an entire division devoted to just liquor licensing and must also complete all regular business of their jurisdiction. There are times where processing is more difficult – i.e. end of the State fiscal year when State contracts must be executed, during the property tax appeal period, etc. This can cause delays in processing on the local authority's side.

Communication Between LED and Local Licensing Authorities

It is my understanding that LED has faced staffing issues in the last couple of years and this has contributed to the breakdown of the relationship between LED and the local licensing authority, but it is my sincerest hope that this relationship can be restored. There was a time where the LED staff and local Clerk's were well known to each other and communicated regularly. I believe restoring this professional relationship and communication standards could vastly improve the processing issues discussed by the LAG.

Statutory Language Requiring Local Licensing Authorities to Transmit Applications Within Specified Timeframes

LED should not mandate how long local licensing authorities are afforded to process applications. As stated above, there are times of the year where the local licensing authority is 'stretched thin' and processing applications can take a little longer than other times. Likewise, there are staffing concerns to be considered – just like LED might take longer to review an application (I just received a renewal back that I had sent in April), the local licensing authority may take longer to review and process an application if training a new clerk. Having set deadlines for submittal would cause the local authority to be out of compliance when these inevitable situations occur.

If the local licensing authority is to have submittal deadlines imposed, LED needs to also have deadlines imposed and adhered to.

The deadlines suggested by LED at this time are not attainable by Weld County. All applications must be sent for referral review by various Weld County Departments and sometimes outside agencies, and this referral period is two weeks. Some application types have signs posted and are published in the local newspaper – this is typically (10) days. Some application types require notice to surrounding property owners – this is typically (10) days as well. Some application types require an inspection which takes time to schedule, complete, and have corrections made, if necessary. All application types require formal approval by the Weld County Board of Commissioners at one of their regularly scheduled Board Meetings, which takes staff processing time to prepare for. The suggested deadlines of 21 days and 30 days are quite literally not possible to achieve.

Thank you for your consideration of these matters. If you have questions or need additional information, please do not hesitate to contact me at (970) 400-4213.

Very truly yours,



Chloe A. White
Deputy Clerk to the Board Supervisor
cwhite@weld.gov