



## DEPARTMENT OF REVENUE

### Liquor and Tobacco Enforcement Division

#### Colorado Cigarette, Tobacco Product, and Nicotine Product Retailer Rules

#### 1 CCR 203-1

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#### **Rule 7-311. Tobacco Festivals.**

Basis and Purpose: The statutory authority for this rule includes, but is not limited to, subsections 44-7-104(5), and 44-7-105.5, C.R.S. The purpose of this rule is to authorize state tobacco license holders to apply for a tobacco festival permit as defined in Rule 7-100(M).

#### A. Applications

1. A person licensed pursuant to 44-7-104.5 C.R.S. may apply for a tobacco festival permit with the Division. The applicant must:
  - a. Specify the licensed premise for where the festival will be held;
  - b. Provide a site diagram and control plan to prevent anyone under 21 years of age from entering the event as well as attendees not violating the Clean Indoor Air Act;
  - c. File an application at least thirty (30) calendar days before the festival is to be held, and
  - d. Pay in full the application fee for a tobacco festival permit to the Division.
  - e. Hours of service of tobacco/nicotine products;
  - f. How and where tobacco/nicotine products will be secured and stored when setting up for the festival, during the festival, and after the conclusion of the festival;

#### B. Local Authority

1. A local authority may create a local permit for tobacco festivals. If a local authority does not create a local permit under section 44-7-105.5(2)(d), C.R.S., an applicant need not obtain a local permit to conduct a tobacco festival.

#### C. Restrictions

1. Pursuant to 44-7-105.5(2)(f) C.R.S., the tobacco festival permit holder must prohibit an individual who is under twenty-one years of age from taking part in the permitted tobacco festival. "Taking part in a festival" means attending a tobacco festival, entering the permitted location of a tobacco festival, making purchases at a tobacco festival, working in the festival, or using any cigarette, tobacco product, or nicotine product at a tobacco festival.
2. A tobacco festival permit does not authorize the permittee to use the tobacco festival premises for more than seventy-two (72) hours for any one festival, not including set up and tear down.

D. Unlawful Acts

1. The tobacco festival permit holder must not allow the sale, transfer, or use of gasoline, diesel fuel, or controlled substances on the approved tobacco festival premises.
2. Alcohol may not be sold without an approved liquor license or permit.

E. Smoking Permitted

1. The tobacco festival permit holder must designate where smoking may occur on the permitted premises.
  - a. Tobacco festival permit holders and any designated smoking areas must comply with the Colorado Clean Indoor Air Act in Part 2 of Article 14 of Title 25 C.R.S. Any violation of the Colorado Clean Indoor Air Act within a tobacco festival is also a violation of this rule.
2. The festival permit holder must display the following signage at every entrance and exit to the designated smoking areas of the tobacco festival:
  - a. "Smoking allowed. Persons under twenty-one years of age must not enter."
  - b. The dimension of the sign must be no less than 8.5 inches by 11 inches.

F. Limits on the number of permits

1. The number of permits issued for retailers with more than ten retail locations may not exceed five permits per retailer calendar year.
2. The number of permits issued to retailers with ten or fewer retail locations may not exceed five permits per retailer per calendar year.
3. The Division will post approved festival permits on our website.