



Legislation Details (With Text)

File #: 17-041 **Version:** 1 **Name:**

Type: Consent Agenda **Status:** Second Reading

File created: 1/16/2017 **In control:** Town Council

On agenda: 2/14/2017 **Final action:**

Title: An Ordinance Amending Title 4, "Business Regulations," Chapter 8, "Alcoholic Beverages," of the Erie Municipal Code to Add a New Section 4-8-3, "Entertainment Districts, Common Consumption Areas and Promotional Associations. (SECOND READING)

Sponsors: Fred Diehl

Indexes:

Code sections:

Attachments: 1. Ordinance - Entertainment District, 2. Entertainment District Map, 3. Entertainment District Map with Proposed Common Consumption Area, 4. Promotional Association and Common Consumption Area Application

Date	Ver.	Action By	Action	Result
1/24/2017	1	Town Council	introduced on first reading	

SUBJECT: Consideration of an Ordinance of the Town of Erie, Colorado Amending Title 4, "Business Regulations," Chapter 8, "Alcoholic Beverages," of the Erie Municipal Code to Add a New Section 4-8-3, "Entertainment Districts, Common Consumption Areas and Promotional Associations;" Authorizing and Creating an Entertainment District in Accordance with the Colorado Liquor Code; and Setting Forth Details in Relation Thereto.

DEPARTMENT: Administration

PRESENTER: Fred Diehl, Assistant to the Town Administrator,
Nancy Parker, Town Clerk/Risk Coordinator

FISCAL INFORMATION:

Cost as Recommended: NA
Balance Available: NA
Budget Line Item Number: NA
New Appropriation Required: NA

STAFF RECOMMENDATION: Consider on First Reading, an ordinance amending Title 4, "Business Regulations," Chapter 8, "Alcoholic Beverages," of the Erie Municipal Code to add a new Section 4-8-3, "Entertainment Districts, Common Consumption Areas and Promotional Associations."

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Summary: During the summer of 2016, the Town contracted with Kelly Williams of Kelly Enterprises, LLC to organize and manage the "Erie Farmers Market" and "Erie Downtown Neighborhood Block Parties." These community-building events were centered in the heart of Downtown Erie for all of our

residents to enjoy while at the same time promoting local businesses, restaurants and breweries. The Farmers Market was held each Thursday night from May through September ran from 5:00 pm to 8:00 pm. The Block Parties were a series of family-friendly events scheduled for three Fridays in July and took place on Briggs Street between Wells and Moffat and ran from 6:00 pm to 9:00 pm.

As part of the Block Parties, a civic non-profit organization obtained a liquor license through the Town and worked with Downtown Brew Pubs to provide for consumption of beer within the licensed area. That area was closed to vehicular traffic and had monitored pedestrian access points.

Town staff has met with Downtown business owners and our event organizer to discuss Downtown special events for this year. Support for the establishment of an Entertainment District to accommodate a Common Consumption Area for both the Farmers Market and Neighborhood Block Parties were a direct result of those conversations. As such, Staff is recommending the Town exercise its local option to allow Common Consumption Areas in the Town by establishing an Entertainment District as provided in C.R.S. §12-47-301 (11) inclusive of the following conditions:

- Promotional Association shall have at least one director from each licensed premises attached to the Common Consumption Area;
- Promotional Association shall provide an insurance certificate of general liability and liquor liability insurance naming the Town of Erie as an additional insured;
- Promotional Association agrees to submit annual reports;
- The size of Common Consumption Area must be contained wholly within the Entertainment District;
- The Common Consumption Area must be clearly delineated using physical barriers to close the area to motor vehicle traffic and limit pedestrian access through secure entrances/exits;
- Alcoholic beverages sold or served within the Common Consumption Area shall be served in a container that is no larger than 16 ounces, is disposable and contains the name of the licensed vendor in at least 24 point font type;
- The hours of operation for the Common Consumption Area will coincide with the published hours for each special event.

Please see the attached maps:

- Exhibit A - Entertainment District Map
- Map with Proposed Consumption Area

Background: Legislation changing state liquor laws to allow Entertainment Districts passed in 2011. With passage of that legislation, local liquor-licensing authorities may set their own rules for the establishment and regulation of Promotional Associations and Common Consumption Areas in addition to the state's rules.

Under state regulations, an Entertainment District may be no larger than 100 acres. An outdoor Common Consumption Area must be closed to vehicular traffic and have monitored pedestrian access points. A Promotional Association must be designated to organize events in the common

area. The association must have a representative from each business “attached” to the common area that holds a liquor license. The association, which must be certified by the local liquor authority, is responsible for security and maintaining barriers in the common area.

The first-ever Common Consumption Area in the state of Colorado was approved by the Greeley Liquor Authority in July 2012. A block of Ninth Street downtown is blocked off every Friday evening from May through September from 5:00 p.m. to 11:00 p.m. During this time, restaurant and bar patrons within the Ninth Street Plaza area have the option to purchase an alcoholic drink from one of eight establishments in a plastic to-go cup, to take outside and consume.

ATTACHMENTS:

Ordinance

Exhibit A - Entertainment District Map

Map with Proposed Consumption Area

Promotional Association/Common Consumption Area Application