



City of Fort Collins

Local Licensing Authority

New Liquor License Application Guide

When a business owner desires to have the ability to sell or serve malt, vinous and/or spirituous liquors, they must first obtain a liquor license. In the State of Colorado, the licensing of retail establishments is a dual authority, meaning that both the local authority and the state authority review all retail license applications.

It is recommended that you hire an attorney if you are unfamiliar with Colorado Liquor Laws and the requirements for obtaining a license. Applicants may also represent themselves if they are comfortable doing so.

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What to know before applying

- ✓ The entire process takes approximately 120 days or more (from submittal to license issuance)
- ✓ To apply, you must request a secure link from liquorlicensing@fcgov.com
- ✓ Paper applications will not be accepted.
- ✓ Incomplete application packets will not be accepted.
- ✓ Applications must be typed or legibly printed in black ink.
- ✓ Some documents are required to be notarized.
- ✓ Applicants are expected to know, understand, and comply with the Colorado Liquor Laws, Rules, and Regulations. More information can be found at State of Colorado Liquor and Tobacco Enforcement Division website: <https://sbq.colorado.gov/liquor>
- ✓ Applicants are also expected to know, understand, and comply with the City of Fort Collins Municipal Code, available at:
https://library.municode.com/co/fort_collins/codes/municipal_code?nodeId=CH3ALBE

Step 1. Submit a complete application packet to the City of Fort Collins

Application Packet Checklist:

- ☐ Application ([State Form DR8404 or DR8403](#))
 - Complete in all appropriate sections, signed, and dated
- ☐ Payment Receipt for City Fees ([City Pay Portal](#))
- ☐ Detailed diagram of the premises to be licensed
 - 8 ½" by 11" Size
 - Must be an exact representation of the licensed premises.
 - The licensed premises must be outlined in BOLD BLACK INK
 - Include length and width of exterior walls and interior walls, including built-in bars
 - Include bars, walls, partitions, entrances/exits, storage
 - Indicate where alcohol will be stored
 - Separate diagram for each floor (if multiple levels)
 - Exterior areas must show type and height of fencing or barriers
- ☐ Proof of Possession of Property:
 - Deed in the name of the applicant, date stamped and filed with the County Clerk



(or)

- Lease in the name of the applicant (or)
- Lease assignment in the name of the applicant with proper consent from the Landlord and acceptance by the applicant (Attach prior lease to show right to assumption)
- Other agreement if not deed or lease.
- LEASE MUST:
 - Be in sole possession of the applicant
 - Match the applicant's name exactly
 - Cover the entire license period of at least one year
 - Be properly executed; and demonstrate possession of all areas shown in premises diagram (i.e., patios, storage rooms, etc.)

☐ Financial Documents:

- Purchase agreements or stock transfer agreements
- Copy of executed promissory notes or loans (i.e., assumed, banks, previous owners)

☐ Corporate Documents:

- If the applying entity is a corporation:
 - ☐ Certificate of Incorporation date-stamped by Secretary of State
 - ☐ Certificate of Good Standing issued within past two years (for corporations older than two years)
 - ☐ Certificate of Authorization (if foreign company)
 - ☐ Diagram of the Corporate Tree
 - ☐ List of officers/stockholders/directors of applying corporation (if wholly owned, designate at least 1 person as principal officer of parent)
- If the applying entity is a Limited Liability Company (LLC):
 - ☐ Articles of Organization date-stamped by the Colorado Secretary of State's Office.
 - ☐ Certificate of Good Standing issued within past two years (for corporations older than two years)
 - ☐ Operating Agreement



- ☐ Certificate of Authority (if foreign company)
- If the applying entity is a Partnership (not needed for husband and wife):
 - ☐ Partnership agreement (general or limited)
 - ☐ Certificate of Good Standing issued (if formed after 2009)
- If the applying as Sole Proprietor or Husband/Wife partnership:
 - ☐ Form DR 4679
 - ☐ Copy of Driver's License or Colorado Identification Card for each applicant
- ☐ Background Investigation Documents:
 - Each of the items below is required for each owner with 10% interest or more in the legal entity applying for the license listed on page 4 of the application:
 - ☐ Individual History Record (state form #DR8404-I)
 - ☐ City of Fort Collins Authorization to Release Information (notarized)
 - ☐ City of Fort Collins Financial Release Information (notarized)
 - Fingerprints must be submitted after the application packet is deemed complete.
- ☐ Management Information:
 - Is this application for a Hotel & Restaurant, Tavern, Lodging, or Entertainment license?
 - ☐ YES - See below.
 - ☐ NO - Nothing else is required.
 - Will an owner be the Registered Manager (anyone listed on page 4 of the application)?
 - ☐ YES - Nothing else is required.
 - ☐ NO - If the registered manager will be someone other than the licensee or one of the owners, submit the following documents for that person:
 - ☐ Manager's Registration Form (DR8442)
 - ☐ Manager Registration Fees:
 - ☐ \$30.00 payable to the Colorado Department of Revenue



Step 2. Provide any corrections/omissions noted by the Clerk after review

The City Clerk's Staff will review your application utilizing this same checklist. You will be notified via email of any omissions or corrections needed. Your application is not "Complete" and will not be set for hearing until all omissions and corrections have been taken care of. Once your application is complete, the Clerk will email you to set the Public Hearing date and time.

Step 3. Post Notice & File Affidavit of Posting with City Clerk's Office

The Clerk will prepare and publish the notice in the newspaper according to statutory requirements. The Clerk will also prepare the Notice poster for you to post on site and advise you as to when it can be picked up from the City Clerk's Office and when it must be posted. A blank affidavit will be attached to the poster when you pick it up. You will have one week after posting to file your affidavit and pictures of the posting with the City Clerk's Office. Please print and attach your photos to the affidavit.

Step 4. File petitions with City Clerk's Office

Neighborhood Boundaries are a one-mile radius around the proposed licensed premises. Instructions to create the map are in this guide ([click here](#)). Petition Guidelines are provided at the end of this document ([click here](#)). Any petitions or exhibits must be filed with the City Clerk's Office ten (10) days prior to the public hearing.

Step 5. Attend the Public Hearing (Online via Zoom)

At the public hearing, the burden is on the applicant to prove to the Local Licensing Authority that the needs and desires of the inhabitants within the established "neighborhood" are not currently being met by the existing outlets, and, that the owner(s) are of good moral character. You can prove this any way you like but commonly people use petitions and/or witnesses who testify at the hearing. NOTE: Any witnesses testifying or any person signing petitions must be at least 21 years of age and residents or managers/owners of businesses within the established neighborhood. Zoom links post with the agenda for the meeting, found [here](#) on the City's Liquor License page. You will also receive the agenda and instructions from the Clerk's Office.

Step 6. State Review

The State accepts and reviews applications on a first-come, first-serve basis. If you selected and paid for concurrent review of your application, the City Clerk's Office will send your application to the State as soon as it is complete. If you do not select and pay for concurrent review, the City Clerk's Office will send your application to the State after it is approved at the Public Hearing.

The State communicates ONLY with the City Clerk's Office and the City Clerk's Office will communicate with you, the applicant, about your application. Once the State has reviewed the application, they may request corrections. Please address these issues as quickly as possible.



City Clerk's Office
300 LaPorte Avenue
Fort Collins, CO 80522
(970) 221-6515
liquorlicensing@fcgov.com

once the Clerk has notified you of them.

Once your application has been approved by the State, the State will issue your liquor license to the City Clerk's Office. The City Clerk's Office will not be able to issue your license to you until Building and Fire inspectors have approved the file.

Step 7. Pay the Liquor Occupation Tax

Liquor Occupation Tax is prorated based on when the business is licensed. It is paid on the City Sales Tax website at <https://fortcollins.munirevs.com>.

The taxes are due on January 2nd annually, in addition to the annual license fees paid to the City and the State for license renewals. Sales Tax can be reached at (970) 221-6780 or salestax@fcgov.com.

Step 8. Pass inspections (Building and Fire)

Licensees are required to ensure their premises meet local building and fire code. A Certificate of Occupancy must be submitted to the Clerk's Office before licenses are issued.

Building Services

Contact Information

- [Building Services Website](#)
- buildingservices@fcgov.com
- (970) 416-2740
- 281 N. College Ave
- Walk-in hours Mon-Fri:
 - 9:00 AM to 12:00 PM
 - 1:00 PM to 4:00 PM

Poudre Fire Authority

Contact Information

- [Poudre Fire Authority Website](#)
- (970) 416-2891



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Step 9. Receive your City and State licenses from City Clerk's Office

The City of Fort Collins Clerk's Office will send you your State of Colorado and City of Fort Collins Liquor Licenses. Congratulations!

Step 10. Operations can begin!

You've completed all the steps to obtain your license, so ensure you take steps to stay in good standing. Follow best practices, train your staff, and abide by liquor laws. City of Fort Collins Liquor Compliance Officers do routine compliance checks, so ensure you are up to date on requirements.

Alcohol Server Training

There are two types of acceptable training that licensees can take.

FCPS offers: Safe Serve: Responsible Alcohol Service Workshop and ABT: Responsible Vendor Training.

- [Safe Serve: Responsible Alcohol Workshop \(Fort Collins Liquor Licensees Only\)](#)
- [ABT Responsible Vendor Training](#) (ABT-Alcohol Beverage Training)

Another option is to find an approved training through the [State Liquor Enforcement Division \(LED\) website](#)

Annual License Renewals

Each year, 120 days before your license expires, the State will mail your renewal form to you. DO NOT mail your renewal to the State. Your renewal MUST BE FILED electronically with the City Clerk's Office prior to expiration of your license. Send the renewal application and proof of payment of the City and State fees to liquorlicensing@fcgov.com. If your application is misplaced, you can find a blank copy of [DR 8400 here](#). Additionally, you may be required to submit additional paperwork if you have a [Takeout and Delivery Permit](#) or [Optional Premises](#).

If you ever have any questions or concerns about your license renewal or status, please contact the City Clerk's Office at (970) 221-6515 or liquorlicensing@fcgov.com



PETITION GUIDELINES

These guidelines are intended to assist an applicant for an alcohol beverage license in petitioning the relevant neighborhood most likely to be affected by the applicant's proposed establishment. Applicants are strongly encouraged to review Chapter 3 of the Code of the City of Fort Collins and/or consult a private attorney.

These guidelines should not be construed as legal advice. The City of Fort Collins and its employees assume no responsibility for the acceptance or rejection of petitions or the denial of an application by the Fort Collins Liquor Licensing Authority based upon the applicant's reliance on these guidelines. The applicant should not rely solely on the information provided in these guidelines.

It is the applicant's responsibility to ensure that petitioning is done correctly.

Before granting a license, the Fort Collins Liquor Licensing Authority must consider the reasonable requirements of the neighborhood and the desires of the adult inhabitants as evidenced by petitions, remonstrances, or other evidence. The burden of producing such evidence is placed upon the applicant. Although the law does not require that an applicant petition the neighborhood, it is the most common form of evidence presented.

Applicants may conduct a petition survey themselves or may contract with a professional survey firm.

Petition Circulation Instructions

Petitions may be circulated only within the neighborhood affected by the application. The City Clerk's Office sets the presumed neighborhood boundaries according to the requirements of the City Code. Signatures should be obtained only from residents of the neighborhood and owners or managers of businesses within the neighborhood boundaries. Anyone signing a petition must be at least 21 years of age and must indicate their age after their signature.

There is no required number of signatures that an applicant must obtain from petitioning. An applicant should collect at least enough signatures to provide the Authority with sufficient evidence to support its findings that:

- (1) the reasonable requirements of the neighborhood for the type of license being sought are not currently being met; and
- (2) the adult inhabitants of the neighborhood desire the issuance of the license.

Typically, applicants submit petitions to the Authority containing 100 to 200 signatures concerning their application.

Each petition packet must contain a verified statement signed by the circulator indicating that the circulator personally witnessed each signature appearing on the petition and that, to the best of his/her knowledge, each signature is the signature of the person whose name it purports to be



and that the address given opposite that person's name is the true business or residence address of the person signing the petition, as well as the cover page indicating where and when the hearing is.

Failure to affix a complete verified statement (including notarization) and cover page may cause the petition(s) to be invalidated or postpone your hearing.

Petition Summary

Upon completion of the survey, the applicant should review the petitions(s) and may strike (using a red pen or marker) any signature which the applicant does not believe to be valid for whatever reason. **The applicant should tabulate the petition results, noting the total number of signatures obtained, the total number of signatures in support of the application and the total number of signatures in opposition to the application, and the total number of signatures stricken from the petition and the reasons therefor.** The applicant should also be prepared to provide information regarding any statements made to the petition circulator(s) by the signatories about their reasons for being for or against the issuance of the license.

City Attorney Review

Prior to or during the hearing on the license application, the Assistant City Attorney will review the petitions and may object to the admissibility of the petitions as evidence. Any flaws in the petition format or petitioning process may cause the petitions to be ruled inadmissible by the Authority.

Sample Petition

A sample petition is available from the City Clerk's Office if you intend to circulate your own petitions. It is suggested that a map of the designated neighborhood be included with each petition packet to assist the circulator and signatories in determining whether each signatory resides, or owns or manages a business, within the designated neighborhood. The petition must comply with the provisions of 3-53(5) of the City Code.

Common Mistakes

Following is a list of the most common reasons for rejecting individual signatures:

- No age listed.
- No manager or owner designation on the business petitions.
- Address is outside the 1-mile radius
- Address listed is illegible.

Petitions must be submitted to the Clerk's office at least 10 days prior to the hearing date.



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AUTHORIZATION AND CONSENT TO RELEASE INFORMATION

Name: _____ Date of Birth: _____
(Last) (First) (Middle)

I do hereby authorize a review and full disclosure of all records specified below, or any part thereof, concerning myself, by and to ANY duly authorized employee of the City of Fort Collins Police Services Department, whether the said records are of public, private, or confidential nature.

The intent of this authorization is to give my consent for full and complete disclosure of a) the records of financial or credit institutions, including records of deposit, withdrawals, balances, loans, and also records of commercial or retail credit agencies; b) real and personal property tax statements and records, and other financial statements and records wherever filed; c) records of complaint, arrest, trial, and/or convictions for alleged or actual violations of the law, including criminal, civil and/or traffic records wheresoever located.

I understand that all information obtained by a personal history background investigation which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered in determining my suitability for licensing by the Police Services Department and by the Fort Collins Local Licensing Authority. I further authorize the City of Fort Collins and its Local Licensing Authority to discuss, in a public forum, all findings regarding my financial, moral, educational, and character qualifications. I understand that any information or records obtained by the City may become public records available upon request by the public.

I agree to indemnify and hold harmless the person to whom this request is presented and his agents, employees, from and against all claims, damages, losses and expenses, including reasonable attorney fees, arising out of or by reason of complying with this request.

A photocopy of this signed authorization form will be considered valid as an original hereof. MUST

BE SIGNED IN THE PRESENCE OF A NOTARY

Signature _____ Date _____

State of _____)
)ss.
County of _____)

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

My Commission Expires



FINGERPRINTING INSTRUCTIONS - LIQUOR APPLICANTS ONLY

Who needs to get fingerprinted?

- ✓ Officers, directors, managing members and members of a corporation or LLC with ownership interest in the liquor license of 10% or more.

You can choose to either do electronic fingerprinting or visit a law enforcement agency for the physical cards.

Electronic Fingerprinting:

- Visit www.coloradofingerprinting.com, set up an account to schedule an appointment to get fingerprinted using **6192LLQH** as the CBI unique ID.
- Visit <http://uenroll.identogo.com/> and enter code **25YQ6K** on the first screen, then click on schedule or manage appointment and follow the instructions. The unique CBI code for this business is **CONCJ6192**.

Fingerprint Cards:

As of June 3, 2019, the Larimer County Sheriff's Office is no longer providing fingerprinting services for liquor license applications. You may visit another law enforcement agency* to be fingerprinted. However, your card must have the information below must be printed on it to be accepted. Please take this information with you to give to the officer that is fingerprinting you.

OCA: CONCJ6192

ORI: CO0350300, PD, FT COLLINS, CO

Employer and Address:

Fort Collins Police Services
2221 South Timberline Road
Fort Collins CO 80525

Reason Fingerprinted: 44-3-307 (3)(c) Liquor License App.

*Your local law enforcement agency may or may not provide fingerprint services. Please contact them directly.



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NOTICE

As part of the fingerprint process, the City of Fort Collins must notify you of the following with regard to fingerprint-based background checks:

Your fingerprints will be used to check FBI criminal history records. You have the right to challenge the information in the FBI identification record by submitting a request to:

Colorado Bureau of Investigation (CBI)

690 Kipling Street - Suite 4000, Lakewood, Colorado 80215

Phone: 303-239-4208

<https://www.colorado.gov/pacific/cbi/employment-background-checks>

The procedures on how to change, correct or update an FBI identification record are set forth in Title 28, C.F.R., Section 16.34.

If you choose to challenge your FBI record, please notify the City Clerk's Office in writing immediately after submission of your challenge to CBI.

✓

Your cooperation in following these instructions enables City staff to process your application without delay. Please call the City Clerk's office at 970-221-6515 if you have questions.