

**In addition to these instructions/checklist, print the following forms to
create the entire packet:**

DR8403 (DR8495 should be attached and also print)

DR8404-I (may need more than one)

DR4679 (for Sole Proprietor/Husband Wife Partnerships only)

DR8004 (transfers only)

**INFORMATION AND DOCUMENT CHECKLIST
FOR FREMONT COUNTY
NEW AND TRANSFER FERMENTED MALT BEVERAGE AND
FERMENTED MALT BEVERAGE AND WINE LICENSES
(FOR LICENSES LISTED BELOW, DOES NOT INCLUDE ANY OTHER RETAIL
LIQUOR LICENSES)
As of April 2024**

Listed below are the fees, forms, and supporting documents that must be submitted to Fremont County, the local licensing authority, and the State Liquor Enforcement Division for a new or transfer of a Fermented Malt Beverage or Fermented Malt Beverage and Wine license. All forms and documents must be properly signed and correspond exactly with the name of the applicant.

1. **License Application.**

Complete form **DR8403 (DR8495 is attached and also required)**. All answers must be printed in blue or black ink or typewritten. All questions must be answered, and boxes must be checked (if applicable). Applicants may obtain a copy of the Colorado Liquor, Beer, and Wine, Special Event Code at **SBG.Colorado.gov/Liquor** (under Laws, Rules, and Regulations).

2. **Fees.**

<u>Type of License</u>	<u>Total State Fees*</u>	<u>Total County Fees*</u>
Fermented Malt Beverage On-Premises	\$1217.50	\$1007.50
Fermented Malt Beverage On/Off-Premises	\$1217.50	\$1007.50
Fermented Malt Beverage and Wine	\$1217.50	\$1007.50

Other Fees

License w/Concurrent Review	Add \$100.00 to State Fee	Add \$0 to County Fee
Transfer of Ownership	Add \$0 to State Fee	Subtract \$250 from County Fee

*The fees listed above include both the nonrefundable application fee and the license fee. State fees should be made payable to the "Colorado Department of Revenue". There is also an option to pay State fees online. Please mark the appropriate box at the top of your application and provide proof if this is the option you choose. *County fees should be made payable to "Fremont County Clerk". Fees being paid with a check must be in the form of a money order, company check, or certified funds.

3. **Diagram of Premises.**

Must submit a floor plan or diagram of the premises to be licensed (no larger than 8 ½ X 11). If multiple levels, each floor should be drawn separately.

The diagram must include restrooms, bar, storage area for beer and/or liquor, office (if there is one), and any other areas (outdoor seating, etc.) that is to be licensed for the sale, service, and/or consumption on the premises.

Exterior areas should show type of control (fences, walls, exit/entry points, etc.).

Dimensions must be included; however, the drawing does not have to be to scale.

The **licensed** portion of the diagram must be bold/outlined.

NOTE: Once the diagram has been accepted and approved, the premises **cannot** be changed or modified until appropriate paperwork and fees have been submitted, and written permission is given by both State and local authorities.

4. **Proof of Property Possession (one year needed).**
Deed in the name of the applicant (or name matching question #2 on the application), must be date stamped/filed with the Clerk & Recorder's Office. OR
Lease in the name of the applicant (or name matching question #2 on the application). OR
Lease assignment in the name of the applicant (or name matching question #2 on the application), with proper consent from the landlord and acceptance by the applicant. OR
Other agreement, if not deed or lease, in the name of the applicant (or name matching question #2 on the application).

5. **Background Information (DR8404-I) and Financial Documents .**
Individual History Record (form DR8404-I) for each individual, as described below.
Fingerprints taken and submitted for each, through a State approved vendor. Do not complete fingerprint cards prior to submitting your application.
Those that want to apply for a Master file must include the application from DR8415 and applicable fees. Established Master File applicants must submit results to the State using the code 25YQHT with the Identogo vendor.
Vendors:
IdentoGO- <https://uenroll.identogo.com> **Service Code: 25YQ6K** Phone: 844-539-5539
Colorado Fingerprinting- <http://www.coloradofingerprinting.com/com/cabs/> **CBI Unique ID: 4892LLQH** (select liquor license- city or county as the reason for printing) Phone: 833-224-2227
Both need to be completed for the following: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license.
Three (3) letters of reference for each individual involved, as described above.
Fifteen-year employment resume for each individual involved, as described above.
Copy of driver's license for each individual involved, as described above.
Purchase agreement, stock transfer agreement, and/or authorization to transfer license.
List (or copies of) all notes, loans, checking accounts, security agreements, etc., used in and for the business.

6. **Sole Proprietor/Husband and Wife Partnership (if applicable).**
Complete form DR4679 for each.
Copy of driver's license for each.

7. **Corporate Applicant Information (if applicable).**
Need Certificate of Incorporation, Certificate of Good Standing, and a Certificate of Authorization if a foreign corporation.
A list of officers, directors, and/or stockholders of parent corporation.

8. **Partnership Applicant Information (if applicable):**
Need a Partnership Agreement (general or limited), and Certificate of Good Standing. (For husband-and-wife partnerships, see #6 above).

9. **Limited Liability Company Applicant Information (if applicable):**
Need Articles of Organization (acknowledgement of filing from Secretary of State's office), a Certificate of Good Standing, a Copy of the Operating Agreement (if applicable), and a Certificate of Authority if foreign LLC (out of state applicants only).

10. **Evidence of Support.**
An example petition is attached to this document. The Board of County Commissioners will consider the reasonable requirements of the neighborhood, to which the applicant seeks a

new license, and the desires of the adult inhabitants, as evidenced by the petition. Signatures should be obtained from County residents only and should include the immediate area around the proposed location, as well as general residents of the County.

11. **Other Licenses:**

Submit any and all State and City Sales Tax Licenses, Food Service Licenses (if applicable), FEIN, and Federal Tax Stamp.

FOR NEW LICENSES:

1. Within 30 days after the filing of the complete application and all other required documents, the County Attorney will review the application. After legal review and approval to move forward, a Public Hearing will be scheduled for the day the Board of County Commissioners will be meeting (usually the 2nd and 4th Tuesday of every month). ***Note- for new licenses, the meeting cannot be scheduled less than 30 days from the application submission date.**
2. Not less than 10 days prior to the Public Hearing, the premises to be licensed must be posted with a sign provided by the County Clerk's Office. Proof of posting (pictures of the sign hanging in general public view from outside) must be provided by this deadline. Any pictures submitted after the 10-day deadline will not be accepted. The property will have to be reposted and the Public Hearing rescheduled, no exceptions.
3. Public notice of the hearing must also be published in the official local newspaper (The Daily Record) not less than 10 days prior to the hearing (an example publication is attached to this document). Proof of publication from the newspaper (showing it was published 10 days prior to the hearing) must be submitted. Responsibility for posting the sign and publishing it in the newspaper rests with the applicant, **please allow plenty of time to hang the sign, and meet the newspaper's deadlines and meet the 10-day guideline.**
4. No new license may be approved unless there is evidence produced at the public hearing of the reasonable requirements of the neighborhood for the type of license for which the application has been made, the desires of the inhabitants of that neighborhood, and the availability of liquor outlets located in or near the neighborhood. Usually, this evidence consists of the testimony of the applicant and the presentation of the petition, which have been circulated in the neighborhood by the applicant or by persons on their behalf, who can testify regarding them (a sample petition is attached to this document).
5. Responsibility for making a record of the proceedings at the public hearing rests entirely with the applicant. Under most circumstances, there can be no appeal to the court of the decision of the Board of County Commissioners unless a record of the hearing has been made.
6. It is the responsibility of the applicant to present to the Board of County Commissioners at the Public Hearing, all documents and evidence required by law, and failure to present one or more required documents or evidence may be grounds for denial of the application. Applicants may choose to be represented by an attorney at the Public Hearing but are not required to do so.
7. Following approval of the application by the Board of County Commissioners, the application and certain required documents will be sent by the County Clerk's Office to the State Department of Revenue, Liquor Enforcement Division for processing. The State license will be sent to the County Clerk's Office, at which point the County license will be issued, as well. The County Clerk's Office will then notify the applicant that the licenses are ready and can either be picked up or mailed.
8. There are special provisions for premises to be licensed that have not been completed or are being remodeled. The statutes should be consulted in such situations, prior to filing the application. Prior to the County issuing a license, all new establishments, and requests for

approval of a renewal license will be inspected by the County Health Officer, Building, and Sheriff's Department.

FOR TRANSFER LICENSES:

1. ***Note-** in order to transfer a license, it must be **current**. If the current license is already **expired** at the time the transfer is submitted, it **cannot** be accepted. The current owner will have to **renew** the license first. You will need to apply for a **temporary license** (this must be done within **30 days** of submitting your transfer request). Please ask for the Temporary License Packet/Checklist to complete this process.
2. **All** steps listed above for a **new license** must also be completed to **transfer** a license with the following **exceptions**:
 - 1) **#11-** unless requested by the Attorney and/or Board of County Commissioners, transfer applicants are not required to complete a **petition**.
 - 2) **Under "For New Licenses"- #2 and #3-** unless requested by the Attorney and/or Board of County Commissioners, transfer applicants are not required to **post a sign** on the property or **publish an article** in the newspaper.
 - 3) **Under "For New Licenses"- #1, #4, #5, and #6-** unless requested by the Attorney and/or Board of County Commissioners, transfer applicants are not required to present the request at a Public Hearing. It is still a good idea to be present for the meeting, in case the Board of County Commissioners has any questions, or there are any issues that need to be resolved.
3. In **addition** to the steps for a **new license**, minus the **exceptions**, transfer applicants need to submit the following:
 - 1) Form DR8004- Wholesaler Affidavit of Compliance

EXAMPLE PUBLICATION

FREMONT COUNTY PUBLIC NOTICE

Pursuant to the Liquor Laws of the State of Colorado, (applicant, name of establishment, address) has requested the Licensing Officials of Fremont County Colorado to grant a (type of license) to sell (Liquor OR Beer and Wine) (by the drink for consumption on the premises OR in sealed containers for consumption off the premises). Public Hearing on this application will be held before the Fremont County Board of Commissioners at (time and date), at the Commissioners' Meeting Room LL3, Fremont County Administration Building, 615 Macon Avenue, Canon City, CO. At said time and place, any interested persons may appear to be heard for or against the granting of said license.

Date of Application: _____

By Order of Board
Commissioners

Justin D. Grantham
Fremont County Clerk & Recorder

Published _____
(paper)

Note: The Petition and Public Notice are not "standard form" and should be altered to fit your needs. They contain the basic information which you need to have in the notice.

CHECKLIST FOR NEW FMB LICENSES

- _____ License Application- form DR8403
- _____ Tax Check Authorization, Waiver, and Request to Release Information- form DR8495 (attached to form DR8403)
- _____ Fees for the License- 2 checks, one to the Department of Revenue and one to Fremont County Clerk. No Personal Checks. Or, proof that the fees to the Department of Revenue were paid online (if unsure of exact amount due, please check with the Clerk's Office)
- _____ Diagram/map of the Premises- with bold outline of all areas where alcohol will be
- _____ Deed, Lease and/or Purchase Contract, Operating Agreement
- _____ Background Information- Individual History Records- form DR8404-I for each individual, as required
- _____ Proof of Fingerprinting- results will be emailed once IdentoGO or Colorado Fingerprinting completes them
- _____ Three Letters of Reference- needed for each individual that was also required to do the background check and fingerprinting
- _____ Résumé- 15-year employment history needed for each individual that was also required to do the background check and fingerprinting
- _____ Copies of Driver's License(s)- needed for each individual that was also required to do the background check and fingerprinting
- _____ Financial Documents- purchase agreements, stock transfer assignments, and/or authorization to transfer license, and a list or copies of all notes, loans, security agreements, checking accounts, etc.
- _____ Sole Proprietor, Corporate, Partnership, or Limited Liability Company Forms/Documents (if applicable)

- _____ Certificate of Good Standing
- _____ Evidence of Support- Petition with signatures
- _____ Other Licenses- Sales tax licenses (State and City) and/or food service license (if applicable)
- _____ Federal Employer Identification Number (FEIN number- should be listed on first page of the application)
- _____ Proof of Posting- this will be after all documents listed above have been submitted and reviewed
- _____ Wholesaler Affidavit of Compliance- form DR8004 (for transfers only)