

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 32**  
**Series of 2020**

**TITLE: A RESOLUTION OF THE WHEAT RIDGE CITY COUNCIL PERMITTING NEW LIQUOR LICENSE APPLICANTS, DURING DECLARED EMERGENCIES, TO SATISFY THE NEEDS AND DESIRES REQUIREMENT IN MULTIPLE WAYS**

**WHEREAS**, on March 10, 2020, the Governor of the State of Colorado declared a statewide state of emergency in response to the coronavirus (COVID-19) pandemic;

**WHEREAS**, on March 14, 2020, the President of the United States declared a national emergency in response to the coronavirus (COVID-19) pandemic;

**WHEREAS**, on March 20, 2020, the Wheat Ridge City Council (City Council) declared a local emergency in response to the coronavirus (COVID-19) pandemic;

**WHEREAS**, Chapter 11 of the Wheat Ridge City Code established the Wheat Ridge Liquor Licensing Authority (City's Liquor Board) and conveyed to it the authority to hear and grant or refuse applications for new liquor licenses, among other responsibilities related to the sale of liquor in the City of Wheat Ridge (City);

**WHEREAS**, C.R.S. § 44-3-301 (2) (a) requires new liquor license applicants to establish by "petitions, remonstrances, or otherwise" that a new liquor license conforms to the needs and desires of the adult inhabitants of the neighborhood (Needs and Desires Requirement);

**WHEREAS**, pursuant to C.R.S. § 44-3-103 (19) (c), the failure to satisfy the Needs and Desires Requirement constitutes good cause to deny a new liquor license applicant's request for a liquor license;

**WHEREAS**, it has been the City's custom and practice to require new liquor store applicants to satisfy the Needs and Desires Requirement by conducting a door-to-door survey of residents and businesses within one-half mile of the new liquor license applicant's business;

**WHEREAS**, because of the coronavirus (COVID-19) pandemic, new liquor license applicants have not been able to satisfy the Needs and Desires Requirement through door-to-door surveys because the adult inhabitants of the neighborhood are reluctant to speak with the persons conducting the survey;

**WHEREAS**, the City Council hereby finds that it is in the best interests of the City to permit new liquor license applicants, during times of declared City emergencies, to satisfy the Needs and Desires Requirement in multiple ways.

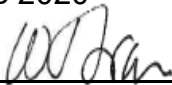
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Wheat Ridge Colorado, that:

Section 1: During declared emergencies, the City's Liquor Board may expand the types of evidence available to satisfy the Needs and Desires Requirement.

Although the door-to-door survey remains the City's preferred method for new liquor license applicants to satisfy the Needs and Desires Requirement, while the City has declared a local emergency pursuant to the Colorado Disaster Emergency Act, title 24, article 33.5, part 7, or other similar authority, and for forty-nine (49) days thereafter, new liquor license applicants may satisfy the Needs and Desires Requirement through (1) sworn testimony from the applicant, any party in interest, and other community members, (2) additional notices sent to the neighborhood via the United States Postal Service, and (3) other relevant information.

Section 2: This Resolution shall become effective upon adoption.

**DONE AND RESOLVED** this 8<sup>th</sup> day of June 2020

  
\_\_\_\_\_  
Bud Starker, Mayor

ATTEST  
  
\_\_\_\_\_  
Steve Kirkpatrick, City Clerk

