

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1581

SPONSOR: MAYOR NOVAK

TITLE: A BILL FOR AN ORDINANCE AMENDING SECTION 9-8-12 TO THE CITY
 OF NORTHGLENN MUNICIPAL CODE RELATING TO SERVING
 ALCOHOL TO UNDERAGE PERSONS

PURPOSE: TO DELETE THE POTENTIAL *CRIMINAL* LIABILITY CURRENTLY
 PROVIDED FOR BY THE NORTHGLENN MUNICIPAL CODE FOR
 REGISTERED MANAGERS AND OWNERS ASSOCIATED WITH SERVING
 ALCOHOL TO UNERAGED PERSONS.

ADDITIONAL EXPLANATORY REMARKS:

THE PROPOSED ORDINANCE DOES NOT EFFECT THE CRIMINAL
LIABILITY ASSOCIATED WITH ANYONE WHO ACTUALLY
PARTICIPATES IN SERVING ALCOHOL TO AN UNDERAGED PERSON,
WHETHER IT BE AN EMPLOYEE, A MANAGER OR AN OWNER OF AN
ESTABLISHMENT

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1581
Series of 2006

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A BILL FOR AN ORDINANCE AMENDING SECTION 9-8-12 TO THE CITY OF NORTHGLENN MUNICIPAL CODE RELATING TO SERVING ALCOHOL TO UNDERAGE PERSONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Section 9-8-12 of the Northglenn Municipal Code is hereby repealed and reenacted to read as follows:

Section 9-8-12. Alcoholic beverages—Violations of state statutes, state regulations or City regulations—Penalties.

(a) It is unlawful for any person to violate: any provision of Article 46, Colorado Beer Code, Article 47, Colorado Liquor Code, or Article 48, Liquors, Special Events Permits of Title 12, C.R.S.; any rule or regulation of the Colorado Department of Revenue promulgated pursuant to such statutes; or any regulation contained in the City of Northglenn Beer and Liquor Regulations, as amended.

(b) Except as otherwise provided in subsection (c), violations of this Section shall be punishable, upon conviction, by a fine of not more than nine hundred ninety-nine dollars (\$999.00), or by imprisonment for a period of time not to exceed one hundred eighty (180) days, or by both such fine and imprisonment. In no case shall the fine imposed for any such violation be less than five hundred dollars (\$500.00), and the fine shall not be reduced below this minimum by plea bargain or otherwise.

(c) A conviction for serving alcohol to an underage person shall be punishable, upon conviction, by a mandatory minimum fine of five hundred dollars (\$500.00). Imprisonment for a period of time not to exceed one hundred eighty (180) days may be imposed in addition to, but not in lieu of, the mandatory minimum fine. In no case shall the fine imposed for any such violation be less than five hundred dollars (\$500.00), and the fine shall not be reduced below this minimum by plea bargain or otherwise.

~~(d) The owner of the licensed establishment, the registered manager and the server shall be deemed to have violated this Section where alcohol is served to an underaged person at a licensed establishment.~~

(D)(e) The penalties contained in this Section are distinct from, and may be imposed in addition to, any proceedings or penalties relating to the suspension or revocation of an alcoholic beverage license.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney