

A RESOLUTION SETTING A PRESUMPTIVE NEIGHBORHOOD BOUNDARY FOR INITIAL CONSIDERATION OF LIQUOR LICENSE APPLICATIONS

WHEREAS, pursuant to C.R.S. § 12-47-301(1), prior to granting an application for a new liquor license, the Authority must consider the “reasonable requirements of the neighborhood” and “the desires of the adult inhabitants” of the neighborhood; and

WHEREAS, the Colorado Liquor Code, C.R.S. § 12-47-101, *et seq.*, does not define the term “neighborhood” nor does it provide requirements for how neighborhood boundaries should be set; and

WHEREAS, as is authorized by the holding in *Board of County Comm’rs of Boulder County v. Johnson*, 460 P.2d 770 (Colo. 1969), the Authority would like to maintain the ability and discretion to set each neighborhood’s boundaries on a case by case basis according to the facts and circumstances present in each application; and

WHEREAS, in order to have a consistent starting point for consideration of each liquor license application, the Authority would like to set as a starting point a presumptive neighborhood boundary.

NOW, THEREFORE, BE IT RESOLVED BY THE LIQUOR LICENSING AUTHORITY OF THE CITY OF NORTHGLENN, THAT:

Section 1. In the interest of efficiency and consistency, when defining the “neighborhood” for purposes of considering the reasonable requirements of the neighborhood as required by C.R.S. § 12-47-310(1), the Authority may rely on a presumptive radius of .5 miles around the proposed licensee’s location, which radius may be amended by the Authority on a case by case basis according to the facts and circumstances present in each application.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAXINE FOSTER  
Chairwoman

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
Acting City Clerk

\_\_\_\_\_  
HILARY MOGUE GRAHAM  
Authority Attorney