

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 28
SERIES OF 2013**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTIONS 10-8-30 AND 10-8-60 OF THE RIFLE MUNICIPAL CODE
REGARDING MINORS ON PREMISES AND ESTABLISHMENT
RESTRICTIONS.

WHEREAS, Section 10-8-30(1) of the Rifle Municipal Code (“RMC”) currently make it a Class A municipal offense for a person under the legal drinking age to enter, visit, frequent, or be present in an establishment within the City where fermented malt beverages or malt, vinous, or spirituous liquors are sold for consumption on the premises after 10:00 p.m. if alcohol is still being served; and

WHEREAS, local businesses have complained that this criminal offense is overly-restrictive when minors remain in an establishment after 10:00 p.m. following the completion of a meal or for a continuing event; and

WHEREAS, the City Council finds that proper liquor license enforcement and existing provisions of the RMC make the 10:00 p.m. deadline unnecessary; and

WHEREAS, the Rifle City Council finds and determines the best interests of Rifle citizens will be met by amending RMC Sections 10-8-30 and 10-8-60 accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 10-8-30 of the Rifle Municipal Code is hereby amended with to read as follows, with additions shown in bold, double underlined text.

10-8-30. Establishment restrictions.

(a) Except as provided for elsewhere in this Article, it shall be unlawful for the licensee, proprietor, agent or employee of any establishment possessing a liquor license, ~~other than a special events permit issued pursuant to Section 6-5-120 of this Code,~~ for the sale of fermented malt beverages or malt, vinous or spirituous liquors for consumption on the premises, to permit or allow the following:

(1) ~~Persons under the age of twenty one (21) years to enter, frequent, visit or be present in any such establishment after 10:00 p.m. if fermented malt beverages or malt, vinous or spirituous liquors are still being served; and~~

(~~21~~) Customers, guests and any other persons to be present in such establishments during the hours and days that state law prohibits the sale, serving or distribution of fermented malt beverages or malt, vinous or spirituous liquors.

(~~32~~) The consumption of any alcoholic beverage on the licensed premises at any time during such hours as the sale of such beverages is prohibited by law.

A violation of Subsections (a)(1) and ~~(a)(3)~~ above is a Class ~~A~~B municipal offense. A violation of Subsection (a)(2) above is a Class ~~B~~A municipal offense. Penalties for these violations are set forth in Section 10-1-40 of this Chapter.

Section 3. Section 10-8-60 of the Rifle Municipal Code, "Exceptions," is hereby amended to read as follows, with additions shown in bold, double underlined text and deletions in strike-through text.

10-8-60. Minors—exceptions.

Nothing contained in ~~Sections 10-8-30 and~~ 10-8-50 above shall prohibit:

(1) Owners or necessary maintenance employees from being in the establishment which they own or where they work.

(2) Minors between the ages of eighteen (18) and twenty-one (21) years, who are members of an entertainment group paid or employed by the licensee, from being present in a licensed establishment during the period of time they are actually working or performing.

INTRODUCED on December 18, 2013, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on January 15, 2014, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ___ day of _____, 2014.

CITY OF RIFLE, COLORADO

BY _____
Mayor

ATTEST:

City Clerk