

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER Hoppe
COUNCIL BILL NO. 5
ORDINANCE NO. 1790
Series 2024

**TITLE: AN ORDINANCE AUTHORIZING THE APPOINTMENT OF AN
ADMINISTRATIVE HEARING OFFICER FOR LIQUOR LICENSING
MATTERS, AND DECLARING AN EMERGENCY**

WHEREAS, the City of Wheat Ridge (“City”) is a home rule municipality operating under a charter adopted pursuant to Article XX of the Colorado Constitution and vested with the authority by that article and the Colorado Revised Statutes to adopt ordinances for the regulation of land use and protection of the public health, safety and welfare; and

WHEREAS, in the exercise of this authority, the City Council has previously enacted Article III of Chapter 11 of the Wheat Ridge Code of laws, concerning alcoholic beverages; and

WHEREAS, Division 1 of said Article III provides for the creation of the Wheat Ridge liquor licensing authority and provides, among other things, for the authority to exercise the power to grant, deny, revoke, and approve various actions affecting liquor licenses within the City; and

WHEREAS, recent vacancies occurring in the membership of the liquor licensing authority have made it difficult for the authority to achieve a quorum to conduct its business; and

WHEREAS, in order to ensure that the needs of the local business community to have prompt action on liquor licenses are met, the Council finds it is necessary to provide for an administrative hearing officer to conduct liquor licensing actions until the authority membership can be stabilized or the City Council can take other actions to provide for the timely processing of liquor licensing matters; and

WHEREAS, the City Council intends to conduct a study session to evaluate the appropriate options for liquor licensing matters in the City going forward.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF WHEAT RIDGE COLORADO:**

Section 1. Administrative hearing officer authorized. The City Council hereby authorizes and creates the position of administrative hearing officer for liquor licensing matters and authorizes the City Manager to appoint such person or persons, as needed from time to time in the Manager's discretion, to fill this function. The City Council further authorizes the administrative hearing officer when so appointed to undertake all licensing and other actions otherwise granted to the liquor licensing authority by Article III, Division 1 of Chapter 11 of the Wheat Ridge Code of Laws for such time on such occasions as the City Manager shall determine.

Section 2. Council to determine future action. In order to fully inform the City Council, the City Manager is hereby authorized and directed to develop materials for the City Council's consideration at a future study session, which material shall provide options for the manner in which liquor licensing actions should be undertaken by the City.

Section 3. Emergency declared, effective date. The City Council finds and determines that the adoption of this Ordinance as an emergency ordinance is in the best interest of the citizens of the City of Wheat Ridge. Further, the Council hereby finds and determines that an emergency exists in that the inability of the liquor licensing authority to consistently achieve a quorum imperils the ability of the City to promptly process liquor licensing matters. This Ordinance shall be effective upon adoption.

INTRODUCED, READ, AND ADOPTED as an emergency ordinance pursuant to Section 5.13 of the Charter by a vote of 7 to 0, this 26th day of February 2024 and ordered published within ten (10) days after passage, or as soon thereafter as possible.

SIGNED by the Mayor on this 28th day of February 2024.



Bud Starker, Mayor

ATTEST:



Margy Greer, Sr. Deputy City Clerk



Approved as to Form:



Gerald E. Dahl, City Attorney

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