

## Golden Liquor Licensing Authority (LLA) - Sanctioning Guidelines and Philosophy

Pursuant to its powers and authority granted under Golden Municipal Code 4.84.010 and C.R.S § 44-3-202 and § 44-3-601, the Golden Liquor License Authority hereby sets forth the following general sanctioning guidelines and philosophy.

For the purpose of imposing sanctions for violation of liquor laws and regulations, the type of licenses will be categorized as follows:

Type I – Hotel/Restaurant On Premise (Food is priority)

Type II – Fermented Malt Beverage license (convenience stores – non-alcoholic items are priority except on Sunday)

Type III – Tavern On Premise (Liquor is a priority)

Type IV – Liquor Store (carry out – Liquor is a priority)

(Other categories of liquor licenses (i.e. Bed and Breakfast, Beer and Wine, etc.) will be considered with the “Type” as is appropriate to the nature of their business)

The Golden LLA will use these guidelines in its determination of the sanctions to be levied after a finding of a violation by a license holder of the Colorado and Golden liquor laws or regulations. It is important to note that the LLA is not bound to strictly abide by these guidelines; rather, these guidelines are provided as notice to the public of the LLA’s general sanctioning philosophy. The LLA has the discretion to consider the full range of penalties, as permitted in state and city statutes and regulations. Further, the LLA is obligated to, and will, consider aggravating and mitigating factors in setting sanctions and penalties if presented in each particular hearing.

Except as otherwise stated below, days of sanction will begin on the same day of the week as the day of the infraction. Days of suspension will be consecutive. Days in which the license holder is not allowed to serve liquor by law are **not** included in determining days of actually served.

OFFENSE	PRIOR OFFENSE	PHILOSOPHY/GUIDELINES
1 <sup>st</sup>	N/A	<p>License suspended for 6 days, 2 days held in abeyance for 12 months.</p> <p>For License Types III and IV, 1 of 4 days served will include a Friday or Saturday.</p> <p>For License Types I and II, 1 of 4 days served will include a Sunday.</p>
2 <sup>nd</sup>	Within 12 months of 1st offense	<p>License suspended for 10 days, 4 days held in abeyance for 12 months. Total days served = 6 new days + 2 days held in abeyance from prior violation.</p> <p>For License Types III and IV, days served will <b>start</b> on a Friday or Saturday. Thus, actual days served will include 1 full weekend and an additional Friday or Saturday.</p> <p>For License Types I and II, days served will <b>start</b> on a Sunday.</p>

2 <sup>nd</sup>	More than 12 months but less than 24 months from 1 <sup>st</sup> offense	7 consecutive days, 3 held in abeyance for 12 months.
2 <sup>nd</sup>	More than 2 years from 1 <sup>st</sup> offense	License suspended for 6 days, 2 days held in abeyance for 12 months. For License Types III and IV, 1 of 4 days served will include a Friday or Saturday. For License Types I and II, 1 of 4 days served will include a Sunday.
3 <sup>rd</sup>	Within 12 months of 1 <sup>st</sup> offense	REVOCATION
3 <sup>rd</sup>	More than 12 months but less than 24 months from a PRIOR offense	22 days, 0 in abeyance For License Types III and IV, days served will <b>start</b> on a Friday or Saturday. Thus, days served will include 2 full weekends and an additional Friday or Saturday. For License Types I and II, days served will <b>start</b> on a Sunday. Thus, days served will include 3 Sundays.
3 <sup>rd</sup>	More than two years from a PRIOR offense	10 days, 0 in abeyance. For License Types III and IV, days of suspension will <b>start</b> on a Friday. Thus, days served will include 2 full weekends. For License Types I and II, days of suspension will <b>start</b> on a Friday, Saturday or Sunday. Thus, days served will include 2 Sundays.
4 <sup>th</sup>	No guidelines	REVOCATION