

**CITY OF CORTEZ  
RESOLUTION NO. 18, SERIES 2020**

**A RESOLUTION ESTABLISHING FEES AND CHARGES FOR CITY CLERK**

**WHEREAS**, the Cortez City Council has adopted legislation that enables the medical and retail sale of marijuana and that operational fees should be charged to reasonably cover the City's time and effort in enforcing the laws that govern marijuana; and,

**WHEREAS**, Resolution No. 31, Series 2019, (Marijuana and Retail Marijuana Fees) was adopted on November 26, 2019; and will be replaced with the adoption of Resolution No. 18, Series 2020; and,

**WHEREAS**, the Cortez City Council has adopted State Liquor Licensing fees which are set according to guidelines established in the Cortez Revised Statutes by the State of Colorado, Department of Revenue, Liquor Enforcement Division; and

**WHEREAS**, Resolution No. 31, Series 2019, (Liquor Licensing Fees) was adopted on November 26, 2019; and will be replaced with the adoption of Resolution No. 18, Series 2020.

**WHEREAS**, Resolution No. 31, 2019, (Open Records Policy) was adopted on November 26, 2019; and will be replaced with the adoption of Resolution No. 18, Series 2020.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORTEZ, COLORADO THAT:**

Section 1. Operating Fees for Medical and Retail Marijuana Establishments per premises are as follows:

New Application:	\$7,000
Transfer Ownership (same premises):	\$2,850
Transfer Location (same owner):	\$7,000
Renewal Fee (annually):	\$5,250
Re-Inspection:	\$50/hr.

Section 2. These operating fees shall be charged per premises for any class or combination of classes of marijuana licenses that are regulated in Cortez.


Section 3. Re-inspection charges will apply, and be assessed at a minimum of one hour, in one hour increments, when any City official is required to spend additional time to ensure compliance of a licensed premises because a license holder has failed to follow the rules and laws that govern marijuana.

Section 4. Liquor License Fees (State and City) are attached as Exhibit A (total 3 pages).

Section 5. Open Records Policy is attached as Exhibit B (total 5 pages).

Section 5. This Resolution will become effective on January 1, 2020.

MOVED, SECONDED, AND ADOPTED THIS 10<sup>th</sup> DAY OF NOVEMBER, 2020.

  
Michael J. Lavey, Mayor

ATTEST:

  
Linda L. Smith, City Clerk

City of Cortez  
Alcoholic Beverage License  
Fees and Taxes  
As of December 31, 2020

APPLICATION FEES:	CITY	STATE
New License	\$1,000.00	\$1,550.00
License Renewal	100.00	.00
Transfer of Ownership	750.00	1,550.00
Concurrent Review	1,000.00	1,650.00
Change of Location	750.00	150.00
Modification of Premises	.00	150.00
Change of Trade/Corporation name	.00	50.00
Manager Registration Fee (Tav & H/R)	75.00	75.00
Late Renewal Application Fee	500.00	500.00
Temporary Permits	100.00	.00
Background Check – Corp. Change	100.00	.00
Duplicate License	.00	50.00

LICENSE FEES:

Beer & Wine	48.75	351.25
Brew Pub	75.00	750.00
Club	41.25	308.75
Fermented Malt Beverage	3.75	96.25
Hotel & Restaurant	75.00	500.00
Liquor Licensed Drug Store	22.50	227.50
Retail Liquor Store	22.50	227.50
Tavern	75.00	500.00
H&R with one Optional Premises	75.00	600.00
Arts	41.25	308.75
Special Event Permit (one day)	100.00	.00
Liquor Store Tastings License	100.00	.00

OCCUPATION TAX: (prorated on calendar year)

Brew Pub	325.00
Hotel & Restaurant	325.00
Tavern	325.00
Retail Liquor Stores	150.00
Fermented Malt Beverage	150.00
Beer & Wine	150.00
Club	100.00
Arts	100.00

## Liquor Enforcement Division Fee Schedule

## Application Fees

	Local Fee	State Fee
Application Fee	up to \$1000.00	\$1,550.00
Application Fee with Concurrent Review	up to \$1000.00	\$1,650.00
Application Fee Transfer of Ownership	\$750.00	\$1,550.00
Application Fee Additional Liquor-Licensed Drugstore	up to \$1000.00	\$1,300.00
Application Fee Additional Liquor-Licensed Drugstore with Concurrent Review	up to \$1000.00	\$1,400.00
Application Fee Manager Permit	N/A	\$100.00
Application Late Renewal Fee (Not more than 90-days of license expiration date)	\$500.00	\$500.00
Application Reissue Fee ( More than 90-days but less than 180-days of license expiration date)	\$500.00	\$500.00
Application Reissue Fine (More than 90-days but less than 180-days of license expiration date)	\$25.00 a day beyond 90-day expiration date	\$25.00 a day beyond 90-day expiration date
Annual Renewal Application Fee	\$100.00	\$0.00
Annual Art Gallery Fee	\$100.00	\$0.00

## Retail License Fees

	Local Fee City	State Fee City	Local Fee County	State Fee County
Art	\$41.25	\$308.75	\$41.25	\$308.75
Beer & Wine	\$48.75	\$351.25	\$63.75	\$436.25
Brew Pub	\$75.00	\$750.00	\$75.00	\$750.00
Club	\$41.25	\$308.75	\$41.25	\$308.75
Distillery Pub	\$75.00	\$750.00	\$75.00	\$750.00
Hotel & Restaurant	\$75.00	\$500.00	\$75.00	\$500.00
Hotel Restaurant with one Optional Premises	\$75.00	\$600.00	\$75.00	\$600.00
Each Additional OP License		\$100.00		\$100.00
Resort Complex	\$75.00	\$500.00	\$75.00	\$500.00
Campus Liquor Complex	\$75.00	\$500.00	\$75.00	\$500.00
Related Facility – Resort Complex	\$15.00	\$160.00	\$15.00	\$160.00
Related Facility – Campus Liquor Complex	\$15.00	\$160.00	\$15.00	\$160.00
Liquor-Licensed Drugstore	\$22.50	\$227.50	\$37.50	\$312.50
Lodging & Entertainment	\$75.00	\$500.00	\$75.00	\$500.00
Optional Premises	\$75.00	\$500.00	\$75.00	\$500.00
Racetrack	\$75.00	\$500.00	\$75.00	\$500.00
Retail Gaming Tavern	\$75.00	\$500.00	\$75.00	\$500.00
Retail Liquor Store	\$22.50	\$227.50	\$37.50	\$312.50
Tavern	\$75.00	\$500.00	\$75.00	\$500.00
Vintner's Restaurant	\$75.00	\$750.00	\$75.00	\$750.00
Fermented Malt Beverage On Premises	\$3.75	\$96.25	\$7.50	\$117.50
Fermented Malt Beverage Off Premises	\$3.75	\$96.25	\$7.50	\$117.50
Fermented Malt Beverage On/Off Premises	\$3.75	\$96.25	\$7.50	\$117.50

## Local and State Issued Permit Fees

	Local Fee City	Local Fee County	State Fee
Art Gallery Permit	\$3.75	\$3.75	\$71.25
Bed & Breakfast Permit	\$3.75	\$3.75	\$71.25
Each Resort-Complex-Related Facility Permit	\$15.00	\$15.00	\$160.00
Special Event Permit			
Malt, Vinous and Spirituous Liquor	\$100.00	\$100.00	\$25.00 Per Day
Fermented Malt Beverage (3.2% Beer)	\$100.00	\$100.00	\$10.00 Per Day
Mini Bar Permit with Hotel Restaurant License	\$48.75	\$48.75	\$276.25

**State License Fees**

	Fee
Limited Winery License	\$70.00
Manufacturer's License (Distillery or Rectifier)	
On or after August 10, 2016, and before August 10, 2017	\$675.00
On or after August 10, 2017	\$300.00
Manufacturer's License (Brewery)	\$300.00
Manufacturer's License (Winery)	\$300.00
Nonresident Manufacturer's License (Malt Liquor)	\$300.00
Importer License	\$300.00
Wholesaler's Liquor License	
On or after August 10, 2016, and before August 10, 2017	\$800.00
On or after August 10, 2017	\$550.00
Wholesaler's Beer License	\$550.00
Public Transportation (dining, club or parlor car; plane; bus or other vehicle)	\$75.00

**Additional Fees**

	Local Fee	State Fee
Alternating Proprietor Licensed Premises	N/A	\$150.00
Change of Location	Not to exceed \$750.00	\$150.00
Change of Trade Name/Corporate Name	N/A	\$50.00
Corporate/LLC Change (Per Person)	\$100.00	\$100.00**
Duplicate License	N/A	\$50.00
Add Optional Premises to Hotel & Restaurant License	N/A	\$100.00
Limited Liability Change	N/A	\$100.00
Manager Registration (Hotel & Restaurant; Tavern; Lodging & Entertainment; Campus Liquor Complex)	\$75.00	\$75.00
Master File Background	N/A	\$250.00
Master File Location Fee (Per Location)	N/A	\$25.00
Modification of Premises	N/A	\$150.00
Sole Source Registration	N/A	\$100.00

**State Only Issued Permits**

	Fee
Winery Direct Shipper Permit	\$100.00
Wine Packaging Permit	\$200.00
Wine Festival Permit	\$25.00
Branch Warehouse or Warehouse Storage Permit	\$100.00
Retail Warehouse Storage Permit	\$100.00
Manager Permit Registration (Liquor-Licensed Drugstore)	\$100.00

\*\* The State Fee of \$100 only pertains to state-only issued licenses and does not apply to licenses issued by local licensing authorities



**OPEN RECORDS REQUESTS  
POLICY REGARDING CORTEZ  
ACCESS TO PUBLIC RECORDS**

Effective Date: May 14, 2019

Administrative Authority: Adopted by City Council on May 14, 2019, through Resolution No. 15, Series 2019

Scope: All departments within the City of Cortez

Purpose: The purpose of this policy is to assure prompt and equitable service to citizens requesting access to public records, regardless of the format of those records, in accordance with the requirements of C.R.S. 24-72-201 et seq. This policy does not apply to criminal justice records, as defined in C.R.S. 24-72-302.

Background: C.R.S. 24-72-202(6) defines public record as "all writings made, maintained, or kept... by any local government-financed entity for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds? The definition of public records also includes the correspondence of elected officials, except to the extent that such correspondence is: 1) a work product, 2) without a demonstrable connection to the exercise of functions required by law or administrative rule, 3) a communication from a constituent to an elected official that clearly implies by its content that the constituent expects that it is confidential in nature or subject to nondisclosure, or 4) pursuant to procedures in C.R.S. 24-72-204(1) the material requested is not to be disclosed. Additionally, C.R.S. 24-72-202(7) defines writings to include "all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. Writings include digitally stored data, including without limitation electronic mail messages, but do not include computer software?"

C.R.S. 24-72-203(1)(a) allows the official custodian of public records (City Clerk) to make reasonable rules and regulations with reference to the copying and inspection of public records as necessary to protect the records and prevent unnecessary interference with the regular duties of the custodian.

Policy: It shall be the policy of the City of Cortez to make all records available for public inspection unless such records are protected from disclosure by state or federal law, by court order, or unless disclosure of such records would be contrary to the public interest.

All requests made under the Open Records Act shall be made in writing to the City Clerk, who is the Records Custodian. In the case of a request made in person, the custodian shall either provide the records to the requestor or shall set a date, time, and on-site location where the records can be inspected. The date shall be within three (3) working days of the date the request was made. In the case of a request received by U.S. Postal mail, e-mail, or fax, the custodian shall respond within three (3) working days of receipt of the request. Such period may be extended if extenuating circumstances exist (per CRS. 24-72-203(3)(b)), but the extension period shall not exceed seven (7) additional working days. If a deposit is required, the request is not considered received until the deposit is paid.

Open Records requests are required to be in writing and made on the form provided by the City Clerk.

If a record contains both public and confidential material, the City of Cortez is not required to redact confidential

material in order to comply with a request for the record. However, the City Clerk may agree to provide redacted records if the requester pays the redaction fee as shown on the schedule below.

**Electronic records and electronic communications:** Records stored on magnetic or optical disk, on tapes, or other non-paper media are considered public records and open to disclosure. After receiving a written request for records stored in any of the aforementioned media, the custodian may, but need not, take any measures necessary, in the custodian's opinion, to assist the public in copying or inspecting any specific public record(s); including but not limited to: providing portable disk copies or computer files, referring the requester to the City's web site, providing hard copy printouts, or providing the requested records in any other format deemed appropriate by the custodian.

Please note that requests for open records received by email may be a public record under the public records law and may be subject to public inspection under C.R.S. 24-72-203 and the policy of the City of Cortez.

**Fees and charges:** The custodian will charge for any copies, printouts, photographs, or electronic data requested. Requests expected to have a total charge of \$10.00 or more must be accompanied by a non-refundable deposit of one-half the estimated amount. This deposit will be credited toward the total fee, and the total fee shall be paid prior to release of the requested records. In the event the deposit amount exceeds the actual costs, the balance shall be refunded within 30 days.

No fee shall be charged for the first ten standard sized pages, per calendar year. (Standard sized page will be considered 8 ½ x 11). Each standard page after that will be charged at 25 cents per page. In addition, the requester must pay any research and retrieval fee associated with producing the record in accordance with the schedule below. The custodian will also charge a fee for any manipulation of data needed to generate a record in a form or format not used by the City of Cortez. This fee shall not exceed the actual cost of manipulating said data and generating the record. Persons making a subsequent request for the same record shall be charged the same fee.

Additionally, the custodian will charge a fee for providing copies of electronically stored public records. The City will respond to requests for access to public records stored electronically and in computer databases by providing, upon written request, a copy, disk, or printout. The records may be provided to the requester by email if practical. The fee will be based on recovery of the actual incremental costs of providing the electronic services and products at a fee of 25 cents per page.

Data kept by the City of Cortez, but generated by a third party, shall be charged at actual cost paid to the third party, subject to additional fees below if applicable. Fees and charges for reproduction of records shall be standard throughout the City for similar items.

Photographing of public records will not be allowed.

Please note that if the document requested does not exist as described by the requestor the custodian of records shall deny the request. The custodian shall suggest that the requestor schedule a time to inspect the records and determine which documents best serve requestors purpose and request copies of those documents.

## PUBLIC RECORDS STANDARD FEES AND CHARGES

Photocopies or printouts (no charge for first 10 standard size pages per requester per calendar year, if picked up or emailed)	\$0.25 per letter- or legal-size copy; actual cost for larger documents
Electronic files	\$0.25 per page
FAX documents	\$0.25 per letter- or legal-size page
Document certification	\$5 per document (in addition to the per page copy charge)
Duplication of audio tapes, CDs, or DVDs (this includes transfer of audio files to CD)	\$25 per disc
Publications produced by the City of Cortez	Price varies; will be established based on production costs
City of Cortez Municipal Code	\$100.00
Weekly/Monthly/New Business License Report	\$7.50
List of All City Business Licenses	\$25.00

Research, Retrieval and Data Manipulation Fees

Up to 1 hour	No charge
Over 1 hour	\$30 per hour

Denial of inspection: Access to records may be denied in accordance with the provisions of federal or state law. Reasons for denial of access to records will be noted in writing on the public records request form and provided to the requester.

Records retention schedules: All public records, regardless of storage format, will be administered in accordance with the approved Colorado Municipal Records Retention Schedule (CMRRS). The City of Cortez has adopted the CMRRS as approved and updated by the Colorado State Archives. This schedule is available online at <https://www.colorado.gov/archives/municipal-records-retention-manual>





**ALL PUBLIC RECORDS REQUESTS MUST BE SUBMITTED  
IN WRITING TO THE CITY CLERK'S OFFICE**  
Fax to 970-565-8172 or mail/hand-deliver to  
Cortez City Clerk, 123 Roger Smith Avenue, Cortez, CO 81321

**RECORDS REQUEST**

PLEASE PRINT

Name: \_\_\_\_\_

Date of Request: \_\_\_\_\_

Email: \_\_\_\_\_

Mailing Address: Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone:Day \_\_\_\_\_

Phone: Evening \_\_\_\_\_

**INSTRUCTIONS**

Indicate the information you desire and/or list each requested document. Please be as specific as possible. Allow three (3) working days for a search of the records. Per the State of Colorado Open Records Act (CRS. 24-72-203), if the request is substantially large or is maintained off-site, additional time may be necessary. The City will notify you within three (3) days of any extension and all estimated costs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please select the format in which you would like to receive materials:

View only: no copies requested. (Appropriate City personnel will be scheduled to accompany you during viewing. No personal scanning or photography of records is permitted.)

Hard copies/printouts

CD or DVD\*

Email\*

\*not all documents are available electronically and not all documents may be emailed

Please select the method you prefer for notification and delivery when the records are available:

First Class mail

will pick them up at City Hall. Contact me by (circle one): Mail Phone Email

Email (if records are available electronically). Specify an alternate delivery method if records are not available via mail:

I agree to pay any charges applicable to this request. (This request will be considered received when this form is complete and the deposit is paid, if required.)

Signature of Requestor

Date and

Time of Request

For Staff Use Only

Received by: \_\_\_\_\_ Date/Time: \_\_\_\_\_

Estimated Charges:

Hard Copy or Electronic File: \_\_\_\_\_ Copies \$0.25 per page: \$ \_\_\_\_\_

CD or DVD: \_\_\_\_\_ Copies @ \$25 per disc: \$ \_\_\_\_\_

Oversize Hard Copy or Other Format Not Listed Above: \$ \_\_\_\_\_

Retrieval and Research: \_\_\_\_\_ hours X \$30 per hour = \$ \_\_\_\_\_

Deposit Required (half of the estimated total, if that is over \$10): \$ \_\_\_\_\_

Request completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Amount received: \$ Payment method: \_\_\_\_\_ Date: \_\_\_\_\_

Method of delivery: \_\_\_\_\_

Request denied by: \_\_\_\_\_ Date: \_\_\_\_\_

Reason(s) for denial: \_\_\_\_\_