

# HOSPITALITY NEWS

THE COLORADO RESTAURANT ASSOCIATION



## TOP 11 Most Common Violations in a Liquor Inspection

Imagine this. It is 4pm on a Friday and you are preparing for a busy night. In walks the State Liquor Investigator! This can be an intimidating moment knowing this person is going to be scrutinizing your establishment to ensure you are complying with Colorado liquor laws and regulations. But this doesn't have to be a bad experience. Taking some extra time to ensure the items listed below are in compliance will help your next liquor inspection go more smoothly.

When the State Liquor Enforcement Division (LED) does an inspection of a licensed premise, there are some basic things they look for immediately. Here is a list of the top 11 violations LED is looking for (and finds) when they walk into your establishment:

### 1 | **LICENSES ARE NOT UP TO DATE.** LED is going to look

to see that all the liquor, sales tax, and retail food establishment licenses are current and displayed in a conspicuous location. Make sure you renew all of your licenses before they expire. Also, make sure all your current licenses are displayed in a location that is in view of the public and not covered or obscured by anything. Don't put your licenses in an office, behind a door, or in a drawer.

### 2 | **NO MINOR WARNING SIGN DISPLAYED.** LED will

check for a minor warning sign and make sure it is displayed in a location, visible to the public, with unobstructed views. CRA can provide members with this sign free of charge.

### 3 | **INVOICES AND RECEIPTS FOR LIQUOR**

#### **PURCHASES CANNOT BE LOCATED OR ARE**

**DISORGANIZED.** LED will ask to see invoices and receipts for all liquor purchases made by the licensed establishment. Licensees must have the current and previous three years' invoices and receipts for all liquor purchases on-site. The law implies the invoices must be the original, but LED will allow you to provide copies or scans. Local enforcement may require you to provide the originals – be sure to check with your local licensing authority. It is recommended that you file your invoices and receipts by distributor or retail purchase in separate files, by year. Disorganized records can be a red-flag for inspectors.

### 4 | **REGISTERED MANAGER IS NOT UP TO DATE.** LED will

check to see if the manager of the establishment (or the person performing the tasks of a manager) is the person registered on the liquor license. The establishment's manager is required to be named on the license through the local and state licensing authority. If the manager of an establishment changes, the licensee has 10 days to notify the local licensing authority and 30 days to notify the LED.

### 5 | **FOOD IS NOT BEING SERVED PER YOUR LICENSE**

**REQUIREMENTS.** LED is going to ensure that the appropriate food is available for purchase depending on the type of license the establishment has. Hotel and restaurant licensees must serve meals between the hours of 8am and 8pm and at least meals or light snacks and sandwiches served after 8pm while the establishment is open and serving drinks. Tavern licensees must serve light snacks or sandwiches whenever the establishment is open and serving drinks.

### 6 | **DO YOU HAVE MOLD, FRUIT FLIES, OR OTHER**

**UNHYGIENIC CONDITIONS?** Inspectors are going to ensure the bar and food preparation areas are clean and sanitary for service of food or drink. LED won't do a full health inspection like the one completed by the local health department. However, they will be looking to make sure they don't find fruit flies in liquor bottles or mold in tap lines or in ice bins. They will look to be sure the fruit is fresh and has not spoiled, and food preparation areas are not dirty or unhealthy to prepare food on. Be sure your bottle tops are

covered to prevent flies in them, tap lines and ice bins are cleaned, fruit used for garnish is circulated properly, and food preparation areas are maintained and safe for service.

**7 | ARE YOU SELLING TOBACCO?** LED will check to see if your establishment is selling tobacco products. If you are, LED will want to make sure that you are following all of the appropriate laws and regulations concerning the sale of tobacco.

**8 | DO YOU ALLOW OR PROMOTE GAMBLING?** LED will check for gambling in the licensed premise. If they see raffle tickets (sometimes used as drink tickets) they will inquire about a raffle in the establishment. Raffles qualify as gambling and can't be conducted without a raffle license. Tickets may be used for a door prize as long as the tickets are not "sold" and every customer gets the same number of tickets regardless of sales or purchases.

**9 | HAVE YOU MODIFIED THE LICENSED PREMISE?** Did you move or add a bar? Did you install a fire pit? Have you changed a door, wall or partition? Are you storing alcohol in a location not on the licensed premise? LED will look at your establishment and compare it to the licensed premise that

was submitted with the license application to see if anything has been altered. They will also look to see if you are storing all of your alcohol on the licensed premise. LED and local licensing needs to be informed of any changes to a licensed premise before the changes can be made. You must apply for a "modification of the premises" which may require posting of the changes and a public hearing on the changes to the premise.

**10 | ARE YOU CHECKING ID'S?** LED will review how to check ID's and ask about your policies for checking ID's. Make sure your staff is checking ID's before serving a patron. It is the establishment's responsibility to make sure they are not serving minors.

**11 | ARE YOU TRANSFERRING ALCOHOL BETWEEN DIFFERENT ESTABLISHMENTS?** Do you have multiple liquor licenses? Is each licensed premise purchasing their own alcohol? LED will be looking to see if all of the alcohol being used by the licensed establishment was purchased by the establishment. Each licensed establishment must purchase the alcohol that is being used at that establishment.

Ensuring all of the things listed above are in compliance will go a long way to making your next inspection from LED go smoothly and will help you to mitigate violations. The above list represents some of the most common items LED will be looking for on an inspection of a licensed premise. However, LED may look for additional items on their inspection to ensure the establishment is in full compliance with Colorado liquor laws and regulations. Thanks to the Colorado Department of Revenue, Liquor Enforcement Division with assisting the CRA in gathering this information.

**If you have questions please contact Nick Hoover at [nhoover@corerestaurant.org](mailto:nhoover@corerestaurant.org) or 303-830-2972.**