



**COLORADO**  
**Department of Revenue**

Enforcement Division – Liquor & Tobacco

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## **BULLETIN 20-10**

### **REFERENCE: Independence Day and Executive Order Guidance and Safety Measures**

DATE: JUNE 30, 2020

As you are likely aware, we have seen increasingly alarming trends of COVID-19 outbreaks in states neighboring Colorado. In some places, like in Texas and Arizona, this has been attributed to the difficulty of maintaining public compliance with social distancing guidelines in bar and club environments where large groups of individuals gather and/or mingle.

As such, we are sharing the update that Governor Polis has announced that certain liquor establishments licensed for on-premises consumption that cannot ensure food service from a licensed retail food establishment must close immediately for in-person service. These liquor licensed establishments are commonly referred to as “Bars”. On-premise liquor licensees who cannot ensure food service are permitted to continue offering alcohol beverages for sale for off-premises consumption through takeout and delivery pursuant to Regulation 47-1101, 1 C.C.R. 203-2. Bars that have adapted to providing food service from a licensed retail food establishment that are seating patrons at least six feet apart that are functioning as a restaurant can remain open. Bars are also permitted to remain open pursuant to the terms of an approved county variance.

In compliance with Executive Order 20-029, as extended by Executive Order 20-123, the Liquor Enforcement Division will be suspending enforcement of the “same receipt” requirement found in current Regulation 47-1101(B), which requires that alcohol beverages sold by retailers through take-out and delivery be sold with food that is reflected on the same receipt. By not enforcing the “same receipt” requirement at this time, we would like to make it clear that food that is purchased through a retail food establishment, in partnership with a liquor licensed establishment, may be reflected on a separate receipt as long as the purchase can be demonstrably linked to a partnered liquor-licensed establishment. In anticipation of the signing of SB 20-213, LED is working to align Regulation 47-1101 with the terms of that bill through the traditional rulemaking process this year. To be clear, at this time, alcohol beverages sold through takeout and/or delivery do need to be served with food, but the food purchase does not need to be reflected on the same receipt as the alcohol beverage purchase.

Given this change, we wanted to reach out and ensure you are equipped with the information to conduct your business in compliance with the executive order, and in as safe a manner as possible. We appreciate and applaud the numerous serious and creative efforts you have undertaken to achieve compliance in your establishments.

As a licensed entity, you are an important partner in our efforts to limit the spread of COVID-19. Your continued compliance with the guidelines for restaurants and bars is expected and will assist in these efforts.

The State Licensing Authority has adopted Regulation 47-1102, 1 C.C.R. 1 203-2, on an emergency basis to ensure licensees comply with Public Health Orders and Executive Orders issued during this, or any future, emergency. The Liquor Enforcement Division is a partner in protecting the public health and safety with the Colorado Department of Public Health and Environment, local health departments, and local law enforcement partners, and it may take potential administrative action against a liquor licensee that refuses to comply with any applicable Executive Order or public health order. All liquor licensees must remain vigilant about the guidance in this bulletin during Independence Day celebrations this weekend and about preventing alcoholic beverages sales to minors and refusing sales to visibly intoxicated customers.

If you see a violation, please make a report by email to [dor\\_led@state.co.us](mailto:dor_led@state.co.us) The Liquor Enforcement Division and local partners will take these reports very seriously and will thoroughly investigate every complaint of non-compliance.

We want to emphasize the importance of maintaining compliance with the Liquor Code, the Governor's Executive Orders, and any relevant public health orders, especially over the upcoming holiday weekend. The Liquor Enforcement Division will have increased compliance officers in the field to monitor activities all week and will pursue disciplinary action seeking the maximum penalties for any violations. Willful non-compliance can result in a suspension or revocation of your liquor license.

#### **Here's how you can operate according to the guidelines:**

- Restaurants, where patrons go for the primary purpose of dine-in service, may open up to 50%, or 50 people indoors, whichever is fewer, so long as each table is at least 6 feet apart.
- Extra large venues that would like more than 50 patrons may use the [calculator for indoor events](#) to determine how many additional patrons they can accommodate indoors, up to 100 patrons total.

#### **Both restaurants and bars with food service from a retail food establishment must follow this guidance summarized below:**

- Patrons in different parties must be a minimum of six (6) feet apart. The spacing of tables may need to be six feet or more to ensure proper physical distancing between diners from different parties.
- Limit party size to eight people or fewer.
- Encourage reservations, and preferably require reservations (if feasible), to reduce congregating inside or outside the establishment.
- Provide an option for customers to "sign-in" to facilitate notifying them if an exposure occurs.
- All patrons must be a minimum of six feet apart at all times and restrict standing and/or congregating in the bar area, entrance/exit, and any interior space.
- Minimize objects touched by multiple patrons, including:
  - Remove/close games and dance floors that require or encourage standing around (darts/pool tables/shuffleboard, arcade games); remove board games.

- Discontinue use of tablecloths, use single-use tablecloths, or remove and replace laundered tablecloths between patrons.
- Elevate and increase the frequency of cleaning practices, including disinfecting high-touch areas.
- Request customers to wear face coverings when not eating or drinking, e.g., walking past other tables to get to delivery areas or restrooms. Consider refusing service to customers who refuse to adhere to hygiene and physical distancing requirements per the Governor's [Executive Order D 2020-110](#).
- As a courtesy, the Liquor Enforcement Division has provided signage as guidance to customers on social distancing measures and cloth face masks for licensees to post upon the licensed premises if they so choose. See the link below for a printable sign.  
[Social Distancing Guidance Signage](#)
- Make accommodations for individuals unable to adhere to masking and physical distancing requirements, such as offering takeout or delivery.

We appreciate your continued support and concern regarding our common goal of safety and continuity of business operations to support economic growth during these unprecedented times. Please do not hesitate to reach out to us with concerns or questions you may have.

If you have any questions about this bulletin, email LED at [dor\\_led@state.co.us](mailto:dor_led@state.co.us) or call the customer service line at (303) 205-2300.

Colorado Liquor Enforcement Division