

BEVERAGE LICENSING AUTHORITY, CITY OF BOULDER, COLORADO

STIPULATION OF FACTS

IN RE:

**TAVERN LIQUOR LICENSE # 47-09395-0000
OF NOMAD STATION, LLC
D/B/A THE POP-UP
1301 SPRUCE STREET
BOULDER, COLORADO 80302**

The above Licensee, by and through its attorney Adam Stapen, and the City of Boulder, by and through its Assistant City Attorney, Lucas Markley, hereby stipulate and agree as follows:

1. That the Beverage Licensing Authority of the City of Boulder, Colorado, hereinafter referred to as "the Authority," found probable cause that the above Licensee had violated certain laws, and therefore issued and caused to be served upon said Licensee a Notice of Hearing and Order to Show Cause.
2. That a hearing concerning the violation is scheduled to be held on July 18, 2018, in the Brenton Building – 1st Floor, at 1136 Alpine Avenue, Boulder, Colorado, at which time said Licensee will be ordered to show cause why License # 47-09395-0000 should not be suspended or revoked, as provided by law.
3. That this stipulation shall not be effective unless and until it is approved by a majority vote of the attending members of the Authority on the scheduled hearing date.
4. The Licensee is charged with two counts as follows:
 - a. **CONDUCT OF ESTABLISHMENT:** the Licensee failed to conduct the premises in a decent, orderly, and respectable manner. To Wit: the Licensee served a person who displayed visible signs of intoxication to remain on the licensed premises without acceptable purpose, in violation of 1 C.C.R 203-2, Reg. 47-900(A).
 - b. **CONDUCT OF ESTABLISHMENT:** licensee failed to conduct the premises in a decent, orderly and respectable manner. To Wit: the licensee permitted activity offensive to the senses of the average citizen, in violation of 1 C.C.R. 203-2, Reg. 47-900(A.)

5. The Licensee pleads “no contest” to one amended charge as follows:
 - a. CONDUCT OF ESTABLISHMENT: licensee failed to conduct the premises in a decent, orderly and respectable manner. To Wit: the licensee permitted rowdiness in violation of 1 C.C.R. 203-2, Reg. 47-900(A.)
6. “No contest” means that Licensee neither admits nor denies the allegations in Officer Bergh’s affidavit, but agrees that the Board has full authority to impose any penalty allowed by law for the events of February 9, 2018, described in officer Bergh’s affidavit. Licensee waives its right to a public hearing to contest the facts of the violation charged.
7. The Licensee further agrees to surrender tavern liquor license # 47-09395-0000 immediately upon acceptance of this agreement by the Board.
8. In exchange for Licensee’s plea of “no contest” and agreement to surrender the liquor license, the City dismisses both original charges.
9. The City and the Licensee jointly recommend and respectfully request that the Board accept the Licensee’s surrender of the license as the penalty for this violation.
10. That Licensee has read and understood the terms in this stipulation. Licensee understands the right to due process in this matter. Licensee understands that it is waiving the right to appeal the decision of the Authority in this matter to a court. Licensee is not under the influence of alcohol or any intoxicant. Licensee enters into this stipulation knowingly, intelligently, and voluntarily.

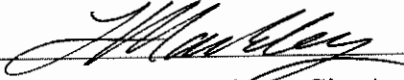
DATED this __17 day of July, 2018.

Signatures:
Doug Greene



Licensee / Attorney for Licensee

7/17/2018
Date



Lucas Markley / Assistant City Attorney

7/17/15
Date