

**APPLICANT/LICENSEE REQUEST FOR ELECTRONIC PUBLIC HEARING  
AND INDEMNIFICATION AND WAIVER OF RIGHTS**

**PLEASE READ CAREFULLY BEFORE SIGNING. THIS DOCUMENT INCLUDES A VOLUNTARY RELEASE OF LIABILITY AND A WAIVER OF CERTAIN LEGAL RIGHTS.**

I, \_\_\_\_\_ (Requestor), an individual residing at \_\_\_\_\_ (Address), County of \_\_\_\_\_, State of \_\_\_\_\_, request that any public hearing ("Hearing") concerning the application or license of \_\_\_\_\_ (Applicant/Licensee Business Name), located at \_\_\_\_\_ (Local Business Address), County of Adams, State of Colorado, before the Local Liquor Licensing Authority or Local Marijuana Licensing Authority ("Authority") of the City of Commerce City, Colorado ("City") be conducted electronically pursuant to the Authority's applicable Rules of Procedure, and, in consideration for such, I agree and declare as follows.

**CONSENT:** I acknowledge the purpose of this form is to secure my legally binding consent to have one or more public hearings conducted electronically pursuant to the Authority's applicable Rules of Procedure, and not in-person, and all that entails, and to waive legal rights of review, appeal, or protest relating to or arising from the electronic manner in which the hearing is conducted. I understand this consent is voluntary and is not required because the underlying public hearing could otherwise occur in person at a later date but for my request to have the hearing(s) conducted by electronic means. I have been provided with a copy of the Authority's Rules of Procedure and have carefully reviewed the rule(s) pertaining to the conduct of hearings by electronic means. I acknowledge and understand that holding and conducting a public hearing by electronic means presents legal risks and involves an area of legal uncertainty, known and unknown, and not capable of being known at this time. With this knowledge and understanding, I request and consent to the Hearing by electronic means.

**ASSUMPTION OF RISK:** I assume all risk of conducting the public hearing by electronic means. Such risk may include, but is not limited to, challenges, actions, protests, or appeals, of any kind whatsoever, to the operation or result of the Hearing based on the use of electronic means to conduct the Hearing, and any delay and associated costs that may result to acting on the outcome of the Hearing due to a potential challenge, action, protest, or appeal.

**WAIVER AND RELEASE:** In consideration for the City, the Authority, any of their officials and employees, and any of their successors and assigns ("Released Parties") agreeing to conduct the Hearing by electronic means, and thereby avoiding delay, **I VOLUNTARILY AND KNOWINGLY RELEASE AND FOREVER DISCHARGE THE RELEASED PARTIES FROM ANY ALLEGED OR ACTUAL DEFICIENCY IN THE CONDUCT OF THE HEARING RELATING TO OR ARISING FROM THE USE OF ELECTRONIC MEANS TO CONDUCT THE HEARING AND ANY PROCEDURE AUTHORIZED OR CONTEMPLATED BY THE AUTHORITY'S RULES OF PROCEDURE AND ANY RELATED RESOLUTION ADOPTED BY THE CITY, INCLUDING CANCELLATION OF THE HEARING.** This release and discharge shall be effective against the Applicant/Licensee and its heirs, successors, assigns, receivers, and agents.

**AGREEMENT TO INDEMNIFY, DEFEND, AND HOLD HARMLESS:** In consideration for the City agreeing to conduct the Hearing by electronic means, and thereby avoiding delay, **I AGREE TO DEFEND, INDEMNIFY, AND HOLD HARMLESS,** the Released Parties, collectively or individually, in any action, and from and against any claims whatsoever, including claims for damages and awards of damages and attorneys fees, arising from or in connection with any alleged deficiency in the conduct of the hearing as a result of the use of electronic means to conduct the hearing. This release and discharge shall be effective against the Applicant/Licensee and its heirs, successors, assigns, and receivers.

**PRESENTATION IS A COMPLETE DEFENSE:** If any claim released herein is made against any of the Released Parties by the Applicant/Licensee or any of its heirs, successors, assigns, and receivers, presentation of this form constitutes a complete and affirmative defense to said claim; and further, I agree that a court of competent jurisdiction shall dismiss said claim with prejudice.

**I have read, understand, and agree to all terms, conditions, and acknowledgements set forth herein and sign the same knowingly and voluntarily. I have authority to execute this for the Applicant/Licensee.**

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

Requestor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name, Title, & Name of Applicant/Licensee Business Entity: \_\_\_\_\_