Event Alcohol Policy

PURPOSE: The Code of Ordinances of the City of Simpsonville allows the possession of intoxicating beverages (as defined in the Code of Ordinances in Sec. 4-4) at publicly-owned or publically-accessible private property locations only with a City-issued written permit. Therefore, the City Council deems that it is appropriate and advisable to adopt a policy that governs the circumstances during which possession of intoxicating beverages may be permitted. The purpose of this policy is to set forth the rules and regulations and the requirements for obtaining a permit for events during which intoxicating beverages may be served.

POLICY: The following policy is hereby adopted by the City Council of the City of Simpsonville concerning the possession and service of intoxicating beverages at publicly-owned or publically-accessible private property locations.

1. The service of intoxicating beverages is permitted at publicly-owned property or publically-accessible private property, ***only*** by an event sponsor who has first obtained a permit from the City.

2. RULES: The following rules shall also apply to any permitted event:

   (a) The event sponsor who has obtained a written permit to serve intoxicating beverages shall provide all intoxicating beverages to be served during the event. Participants are not allowed to provide his/her beverages. No "BYOB" event shall be allowed. Anyone other than the event sponsor is strictly forbidden from bringing an intoxicating beverage to any City facility.

   (b) Intoxicating beverages may be consumed only in the approved area designated on the event permit.

   (c) Intoxicating beverages may not be taken outside of the boundaries identified in the permit; they may be served and possessed only within those boundaries.

(d) Non-alcoholic beverages and snacks/food must be available at all functions when intoxicating beverages are being served.

(e) The service of intoxicating beverages must cease a minimum of 30 minutes before the scheduled end of the event.

(f) While intoxication is strictly forbidden, nevertheless, event sponsors must provide transportation for an attendee who has become intoxicated or is otherwise unable to drive.

3. The event sponsor shall first obtain a written permit for the service of intoxicating beverages from the City Administrator or his designee. All permit applications shall be accompanied by an insurance policy (or an insurance binder) naming the City of Simpsonville as an additional insured, unless insurance is not required, depending upon the classification of the event. The policy must be a general liability policy providing full insurance coverage for all potential liability for the proposed event.

4. The application for an event shall be signed by the applicant, and shall include but not be limited to the following:

(a) The name, address and telephone number of the person seeking to conduct the event;

(b) The name, address and telephone number of the headquarters of the organization, and of the authorized and responsible head of such organization (if applicable);

(c) The date of the proposed event;

(d) The approximate number of persons participating or attending the event;

(e) The time when the event will start and terminate;

(f) The identity of the individuals or entity that will benefit from the event and whether revenue is anticipated to be generated by the activity.

(g) A description of food and beverages to be served; and

(h) The provisions that will be made to insure security and compliance with the City Ordinances, Rules and Regulations.

5. The event sponsor shall also sign an indemnity agreement, agreeing to indemnify the City against all liability.

6. The event sponsor must obtain any required permits/licenses for the service of intoxicating beverages at an event that are required by state or federal law. In addition,

the event sponsor shall insure strict adherence to City Ordinances, Rules and Regulations and federal and state laws during an event. The individual requesting an event permit must provide proof that he/she is at least 21 years of age.

7. Events shall be classified as follows:

    (a) Class I: "Wine & Cheese" An event characterized as:

        (1) Only wine and/or beer are served.

        (2) The maximum number of participants is 25.

        (3) Attendance at the event is by invitation only and is not open to the public.

        (4) Service of wine and/or beer is merely incidental to the main focus of the event.

        (5) The event will last no more than 1 ½ hours or wine or beer will be served for no more than 1 ½ hours.

    (b) Class II: "Business After Hours" An event characterized as:

        (1) Only wine and/or beer are served.

        (2) The maximum number of participants is 50.

        (3) While the event is open to the public, generally those attending have been invited to attend.

        (4) The event will last no more than 2 hours or wine or beer will be served for no more than 2 hours.

    (c) Class III: "Large Scale" An event characterized as:

        (1) A variety of intoxicating beverages are served.

        (2) The number of participants may exceed 50.

        (3) The event is open to the public and/or by special invitation.

        (4) The event will last more than 2 hours or intoxicating beverages will be served for more than 2 hours.

The event will be classified as the class for which the event meets all the specifications. For example, even if the proposed event may be customarily characterized as a "wine

and cheese" party, if the event sponsor believes that more than 25 (but less than 50) people will attend, the event must be classified as a Class II event.

8. Based upon the classification of the event as set forth herein, the following shall apply:

(a) Class I:

(1) The event sponsor must designate 1 (or more) persons who shall not consume intoxicating beverages during the event. This person shall see that all of the conditions of the event permit are complied with and must be over the age of 21.

(2) Insurance is not required.

(b) Class II: In addition to meeting the requirements of a Class I event, Class II events shall meet the following additional requirements:

(1) Designate 3 (or more) persons who shall not consume intoxicating beverages during the event.

(2) Designate 1 or more persons over the age of 21 who shall be responsible for serving intoxicating beverages. This person may not consume an intoxicating beverage during the event. While this person does not have to have received training, this person (or persons) must be knowledgeable of the laws concerning the service and consumption of intoxicating beverages.

(3) Have security person present or designate at least 1 person who shall act as a "sergeant at arms" during the event. This person shall also not consume an intoxicating beverage during the event. The event sponsor may arrange to have a City Police Officer attend the event to satisfy this requirement.

(4) Provide a general liability insurance policy meeting the requirements set forth hereinabove in an amount of not less than $100,000.00.

(c) Class III: In addition to meeting the requirements of a Class II event, Class III events shall meet the following additional requirements:

(1) Designate 5 (or more) persons who shall not consume intoxicating beverages during the event.

(2) Provide a bartender who shall be responsible for serving all intoxicating beverages. In order to meet this requirement, the

bartender must have been formally trained as a bartender or be employed as a full time bartender.

(3) Provide a general liability insurance policy meeting the requirements set forth hereinabove in an amount of not less than $500,000.00.

(4) The event sponsor must arrange to have a City Police Officer attend the event. In the event that more than 100 people are anticipated to attend, additional Police Officers (number to be determined by Chief of Police) must attend.

9. Notwithstanding any of the specific requirements set forth herein, the City Administrator or his designee may set or impose stricter requirements depending upon the circumstances of the proposed event.

10. The City Administrator or his designee may authorize the use of publicly-owned or publically-accessible private property locations for events during which intoxicating beverages may be served in accordance with this policy. The City Administrator (or designee) shall authorize only those events where the number of invitees is appropriately limited for the size of the facility; where there are adequate safeguards against public intoxication, service of alcohol to minors, service to persons under the influence of intoxicants, or service to members of the general public who are not participants in the event; and appropriate time limits for the service of such intoxicating beverages are set. In administering this policy or any other City policy or Ordinance concerning the service or possession of intoxicating beverages, the City Administrator shall have broad discretion to regulate the conditions of service, including the authority to restrict the types of beverages to be served.

11. STANDARDS FOR THE ISSUANCE OF AN ALCOHOL EVENT PERMIT: The City Administrator or his designee shall issue an event permit authorizing the service of intoxicating beverages when he finds that:

(a) The proposed activity or use of the publicly-owned or publically accessible private property will not unreasonably interfere with or detract from the general public enjoyment or use of the location or other public or private property;

(b) The proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation, or the uses authorized for the activity being requested;

(c) The proposed activity or use is not likely to result in violence, crime or disorderly conduct;

(d) The proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city;

(e) The locations desired have not been reserved for other use at the day and hour required in the application;

(f) If the use of beverages containing alcohol is permitted, then the service, consumption, and possession will not likely contribute to public intoxication, excessive noise, acts of harassment affecting other users of the public facility, and that adequate safeguards are demonstrably in place to preclude service to minors and to persons who are not bonafide participants in the use of the facilities for which an event permit is being issued and that the service of alcohol is subject to specific time limits; and

(g) All state laws and regulations will be complied with.

City of Simpsonville

APPLICATION FOR A PERMIT TO SERVE ALCOHOL INSIDE A PUBLIC BUILDING

Name of Event Sponsor: _____
Phone Number: _____
Address: _____

_____

Applicant's Name: _____
Date of Event: _____
Event Name: _____
Hours: _____
Facility/
Location Within Facility: _____

PLEASE PROVIDE THE FOLLOWING INFORMATION. USE ADDITIONAL SHEETS IF NECESSARY.

1. What is the purpose of the function?

Answer: _____

2. When will the function be held? What location? During what time?

Answer: _____

3. How will the serving of alcoholic beverages be controlled?

Answer: _____

4. What measures will be taken to ensure that minors are not served alcoholic beverages?
Answer:

5. Will the beverages be dispensed by a non-drinking bartender?
Answer:

6. What kind of alcoholic beverages will be served?
Answer:

7. What steps will be taken to limit the number of beverages served to attendees to avoid intoxication or impaired judgment/reflexes?
Answer:

8. Who will be designated to oversee the function? Name and title?
Answer:

9. Will, as a standard measure, food be served with the alcoholic beverages?
Answer:

10. What arrangement will be made to transport home persons who have overindulged?
Answer:

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE OF MY OWN KNOWLEDGE. I DO FUTHER UNDERSTAND AND AGREE THAT IF AN EVEN PERMIT IS ISSUED, I MUST FULLY AND COMPLETELY COMPLY WITH THE CITY'S ORDINANCES, RULES AND REGULATIONS. I ACKNOWLEDGE RECEIPT OF A COPY OF THE CITY'S ALCOHOL EVENT POLICY.

Applicant's Signature

Date

RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE

I, the undersigned, representing the _____(name of Event Sponsor) and in consideration of being permitted to conduct the Event, agree that the event sponsor and its members/participants shall defend, indemnify and hold harmless the City of Simpsonville, its elected officials, officers, boards, commissions, agents and employees of and from any and all claims, demands, actions, suits, damages, liabilities and judgments of every kind and nature and regardless of the merit of the same, arising out or in any connected with the use of City of Simpsonville's facilities.

The Event Sponsor and the members/participants hereby release, discharge and agree not to sue the City of Simpsonville for any injury, death or damage to or loss of property arising out of or in connection with this event from whatever cause.

I HAVE CAREFULLY READ THIS RELEASE, HOLD HARMLESS AND AGREEMENT NOT TO SUE AND FULLY UNDERSTAND ITS CONTENTS. I REPRESENT I HAVE THE FULL AUTHORITY TO EXECUTE THIS FULL RELEASE OF LIABILITY ON BEHALF OF THE EVENT SPONSOR AND ITS MEMBERS/PARTICIPANTS AND THAT I HAVE SIGNED THIS AGREEMENT ON THE DATE STATED BELOW.

_____	_____
Signature	Date

ALCOHOL EVENT PERMIT

Pursuant to the application for an event permit and the use of alcohol within the City facility noted above, the City of Simpsonville grants you permission to do so with in accordance with the City of Simpsonville's Policies, Ordinances, Rules and Regulations, which are included in this Permit as if fully set forth herein.

☐	**Approved**	**Date:**	_____
☐	**Disapproved**	**Date:**	_____

_____	_____
Authorized Signature	**Title**

FAILURE TO COMPLY WITH ANY OF THE ABOVE POLICIES MAY RESULT IN THE FORFEITURE OF ALL PAYMENTS AND MAY RESULT IN A TERMINATION/CANCELLATION OF THE EVENT.