

Temporary Special Event Beer Permit Summary

Note: This is general information only and should not be considered conclusive.

For further detail, please consult Title 32B of the Utah Code and the Rules of the Commission.

A temporary beer permit allows the sale of beer* (3.2% alcohol by weight only) for on-premise consumption at a temporary event. ***Items purchased at a liquor store, such as heavy beer and flavored malt beverages may not be stored or sold on the permitted premises.**

Duration and Number

- A single permit may authorize the sale of beer for a period not to exceed 30 days.
- The sale of beer under a series of permits issued to the same person may not exceed 90 days in any one calendar year.

Qualifications

- No person who has been convicted of a felony; two or more convictions of driving under the influence of alcohol or drugs within the last five years; or any crime involving the sale, manufacture, distribution, warehousing, adulteration or transportation of alcoholic beverages, or involving moral turpitude may apply for or be granted a temporary beer permit.
- No permit will be issued to any person or business that has had any liquor license or permit revoked within the last three years.
- A minor may not be granted a temporary beer permit.
- If the applicant is a partnership, a minor may not be a partner or managing agent.
- If the applicant is corporation or limited liability company, a minor may not be a managing agent, officer, director or stockholder who holds at least 20% of the stock of a corporation or owns at least 20% of a limited liability company.

Application Requirements:

Permits are issued by the director contingent on review by the Alcoholic Beverage Control Commission. To ensure adequate processing and approval, applicants should apply by the 10th of the month a month prior to the event. (For example, if you wish to hold an event on October 15th, a **complete** application should be submitted by September 10th). **Applications submitted outside of the 10th of the month guideline do so at their own risk and due to statutory restrictions on event approvals, applications submitted less than a week prior to the event cannot be considered.**

A complete application contains the following:

- Completed application form
- A \$100 permit fee.
- A cash or surety compliance bond in the amount of \$500. – **Refundable after the event with submission of refund request and a copy of beer purchase receipts.**
- Written consent of the local governing authority (city, town, county), or a locally issued temporary permit must first be obtained. **Please note – each local authority has their own process for obtaining local consent. Please contact them early in the process to ensure adequate time for processing.**
- Proposed Advertisements of Event - Copies and/or links to advertising for the event
- Summary of proposed controlled measures - The director and the commission will consider the adequacy of control measures for prevention of consumption by minors and intoxicated persons at the event. Outdoor public events or public events where estimated attendance exceeds 1000 are required to adhere to the control measures in R81-10B-2. Guidelines for Issuing Permits for Outdoor or Large -Scale Public Events. <http://www.rules.utah.gov/publicat/code/r081/r081-10b.htm#T2>
- Scaled floor plan of single event premises highlighting liquor storage, sales and consumption areas
- Alcoholic product list or menu identifying individual brand or price level
- Evidence of proximity to schools, churches, libraries, playgrounds and/or parks - The commission may consider the general proximity of the event to educational, religious, and recreational facilities in determining whether to grant a permit.

Operational Requirements

Purchases of Beer - Temporary beer permit holders must purchase, acquire, possess for resale, or sell beer that has been lawfully purchased from:

- A Utah beer wholesaler; or
- A small brewer (manufactures less than 60,000 barrels per year); or
- A licensed Utah beer retailer.

Please retain receipts for submission to the Department following the event.

Beer Sales: Beer may be served in any size container not exceeding 2 liters and on draft. Beer may be sold by the pitcher (up to two liters) to two or more patrons, but may be sold to an individual patron only in a container that does not exceed one liter.

Sales hours: Beer may be sold, offered for sale and consumed from 10 a.m. until 1 a.m. **No consumption of alcoholic products is allowed after 1 a.m.** A local authority may be more restrictive regarding the hours of sale, service, or consumption of beer.

Limitation on Total Number of Drinks

- Each temporary event attendee may have no more than **one** alcoholic beverage of any kind at a time before the patron.
- A temporary beer permit holder may not sell, offer for sale, or furnish an indefinite or unlimited number of alcoholic products during a set period for a fixed price. An exception to this restriction is allowed if alcoholic products are served to a person at a seated event, food is available when the alcohol is furnished, and this exception is not advertised.

Employees: Any employee who sells, serves, dispenses, or handles beer must be twenty one years of age or older. Employees may not consume or be under the influence of alcoholic beverages while on duty. Employees that sell or serve beer do so under the direction and supervision of the temporary beer permit holder. If you are holding an event that is a public outdoor or large scale event, some employees will be required to have completed an Alcohol Server Training Program. To find out which employees are required to attend this seminar, please review - R81-10B-2. Guidelines for Issuing Permits for Outdoor or Large -Scale Public Events. <http://www.rules.utah.gov/publicat/code/r081/r081-10b.htm#T2>. To find a list of seminar providers please click here: <http://www.dsamh.utah.gov/stateapprovedproviders.htm>

Discounting Practices Prohibited • Discounting practices are prohibited that encourage over-consumption of beer such as reduced prices for certain hours of the event (i.e. “happy hours”), “two for ones”, free beer, or selling at less than cost.

Consumption on the Premises • An open container primarily used for drinking purposes and containing beer, may not be removed from the premises.

“Brown Bagging” • Attendees of an event may not bring any alcoholic beverages onto the premises of the event.

Advertising • Public advertising of the event *may* refer to the availability of beer at the event.

- Beer advertising must comply with the guidelines in Rule R81-1-17.

Warning Sign • Each temporary beer permittee shall display, in a prominent place, a “warning” sign. A sign will be provided along with your permit, or you can pick one up at the DABC.

Prohibited Conduct • **Lewd acts, attire, and sexually oriented conduct** of employees and entertainers that are considered contrary to public welfare and morals are prohibited on the premises. • **Gambling** – On-Premise Banquet Licensees may not engage in or permit any form of gambling on its premises. • **Illegal drugs or drug paraphernalia** - An event permittee may not knowingly allow a person on the licensed premises to sell, distribute, possess, or use a controlled substance; or use, deliver, or possess with the intent to deliver drug paraphernalia.