

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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Single Event 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 (<http://le.utah.gov/UtahCode/chapter.jsp?code=32B>) or the Rules of the Commission (<http://www.rules.utah.gov/publicat/code/r081/r081.htm>)

Single event permits may be issued by the commission for the sale of all types of alcohol *by the permit holder* at conventions, civic or community enterprises, at prices approved by the commission. Permits may be issued to a bona fide partnership, corporation, limited liability company, church, political organization, or incorporated association or to a recognized subordinate lodge, chapter or other local unit thereof. Single event permits provide for the legal storage, sale, service, and consumption of liquor, wine, heavy beer, flavored malt beverages, and beer.

A single event **permit is required** if the applicant desires to benefit from the proceeds of the sale of alcohol by way of direct sales or indirect sales (or in combination) as follows:

- **Direct sales** of alcoholic beverages includes cash bars where drinks are prepared, *sold*, and served to event participants who pay for alcoholic beverages as they are ordered and received.
- **Indirect sales** of alcoholic beverages includes situations where the purchase of a ticket or payment of an entrance or registration fee entitles the participant to alcoholic beverages included with the event such as an open bar, or wine with dinner.

Duration and Number

Qualifying organizations may apply for a permit type that allows either:

- Up to 4 permits per calendar year for a time period that does not exceed 120 consecutive hours (5 days) for each permit; or
- Up to 12 permits per calendar year for a time period that does not exceed 72 consecutive hours each (3 days) for each permit.

Qualifications

- The applicant must have been in existence as a bona fide organization for at least one year prior to the date of application.
- 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 single event 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 single event 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:

- Written consent of the local governing authority (city, town, county) must be obtained.
- A \$125 permit fee.
- A cash or surety compliance bond in the amount of \$1,000.
- The commission may consider the general proximity of the event to educational, religious, and recreational facilities in determining whether to grant a permit.

- Applications must be made to and be on file with the department by the 10th of each month.
- The commission may consider the adequacy of control measures at outdoor public events or public events where estimated attendance exceeds 1,000 to prevent the consumption of alcohol by minors or intoxicated persons.

Purchases of Alcoholic Beverages

- All liquor, wine, flavored malt beverages, and heavy beer shall be purchased by the permittee from a Department of Alcoholic Beverage Control state store or package agency.
- All beer shall be purchased by the permittee from:
 - A Utah beer wholesaler; or
 - A small brewer (manufactures less than 60,000 barrels per year); or
 - A licensed Utah beer retailer.

Sale and Service of Alcoholic Beverages

(1) Liquor Sales

- (a) The primary spirituous liquor in a mixed drink may be dispensed from any size bottle, but only in quantities **not to exceed** 1.5 ounces. A calibrated, metered dispensing device is not required.
- (b) Secondary spirituous liquor may be used in a beverage as a flavoring ingredient in conjunction with the primary liquor.
- (c) The total amount of spirituous liquor in a beverage (including both the primary liquor and any secondary flavorings) may not exceed 2.5 ounces of spirituous liquor.

(2) Wine Sales

- (a) Wine may be sold and served by the bottle or container in sizes not exceeding 1.5 liters.
- (b) Wine may be served by the glass or individual portion in quantities not exceeding 5 ounces. An individual portion (i.e. flights) may be served to a patron in more than one glass as long as the total amount of wine in the individual portion does not exceed 5 ounces.
- (c) Wine may be poured by the glass from any size bottle or container and need not be dispensed through a dispensing device.

(3) Heavy Beer Sales: Heavy beer may be served in original containers not exceeding one liter.

(4) Flavored Malt Beverage Sales: Flavored malt beverages may be served in original containers not exceeding one liter.

(5) 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.

Limitation on Total Number of Drinks

- A single event permittee 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.
- Each single event attendee may have no more than one alcoholic beverage of any kind at a time before the patron.

Sales and Consumption Hours

- Alcoholic products may be sold, offered for sale, furnished, or consumed on any day from 10 a.m. until 1:00 a.m.
- *Hours of Consumption:* Patrons may not consume alcoholic products on the premises after 1:00 a.m. and before 10:00 a.m.
- A local authority may be more restrictive regarding the hours of sale, service, or consumption of alcoholic beverages.

Employees

- Any employee handling alcoholic beverages 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 alcoholic beverages do so under the direction and supervision of the permit holder.

Discounting Practices Prohibited

- Alcoholic beverages may not be sold at a discount at any time.
- Other discounting practices are prohibited that encourage over-consumption of alcohol such as reduced prices for certain hours of the event (i.e. "happy hours"), two for ones, free alcohol, or selling at less than cost.

Consumption on the Premises

- An open container primarily used for drinking purposes and containing an alcoholic beverage may not be removed from the single event 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 alcoholic beverages at the event.
- Alcohol advertising must comply with the guidelines in Rule R81-1-17 which may be viewed at: <http://www.rules.utah.gov/publicat/code/r081/r081-01.htm#T16>

Warning Sign

- Each single event permittee shall display, in a prominent place, a sign no smaller than eight and one half inches high by eleven inches wide stating: *"WARNING - Drinking alcoholic beverages during pregnancy can cause birth defects and permanent brain damage for the child. Call the Utah Department of Health at 1-800-822-2229 with questions or for more information. Driving under the influence of alcohol or drugs is a serious crime that is prosecuted aggressively in Utah."* The two warning messages shall be in the same font size but different font styles that are no smaller than 36 point bold. The font size for the health department contact information shall be no smaller than 20 point bold.

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. See Utah Code Section 32B-1-501 through 506 which may be viewed at: http://le.utah.gov/~code/TITLE32B/htm/32B01_050100.htm
- 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. See Utah Code Section 32B-9-204(5) which may be viewed at: http://le.utah.gov/~code/TITLE32B/htm/32B09_020400.htm