

# UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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## Temporary Special Event Beer Permit Summary

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

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

A temporary beer permit allows the sale of beer at retail for on-premise consumption at a temporary event that does not last longer than 30 days. Effective October 1, 2008, 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:

- Written consent of the local governing authority (city, town, county), or a locally issued temporary permit must first be obtained.
- A \$75 permit fee.
- A cash or surety compliance bond in the amount of \$500.
- 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 1000 to prevent the consumption of alcohol by minors or intoxicated persons.

### 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.

**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 on any day from 10 a.m. until 1 a.m.
- A local authority may be more restrictive regarding the hours of sale, service, or consumption of beer.

**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.

**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.

**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**

- A temporary beer permittee may not engage in or permit any form of gambling on the premises of the event.