

Chapter 4

Alcohol License

ARTICLE A. SINGLE EVENT PERMITS

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3-4A-1: AUTHORITY TO GRANT PERMITS; LIMITATIONS:

- A. The Town Manager may issue a single event permit to a bona fide association, corporation, church or political organization, or to a recognized subordinate lodge, chapter or other local unit thereof that is conducting a convention, civic, fundraising or community event.
- B. The single event permit shall authorize, for a period not to exceed thirty (30) days, the storage, sale, service and consumption of "beer, light beer, malt liquor or malted beverage", as defined in section [3-4-1](#) of this title, at an event at which the storage, sale, service or consumption of these alcoholic beverages is otherwise prohibited by state and local law. Authorization for the storage, sale, service and consumption of liquor at such event shall be obtained from the state alcoholic beverage control commission and is not governed by this chapter or.
- C. The Town Manager may not issue more than two (2) single event permits in any one calendar year to the same association, corporation, church or political organization, or subordinate lodge, chapter or other local unit thereof.
- D. The six hundred foot (600') and two hundred foot (200') proximity limitations to educational, religious, and recreational facilities that are applicable to state stores, package agencies and licensees, do not apply to single event permits. Nothing in this section, however, prevents the town manager from considering the proximity of any educational, religious or recreational facility, or any other relevant factor in deciding whether to grant a single event permit. (Ord. 91-003, 4-9-1991)

3-4A-2: APPLICATION REQUIREMENTS:

- A. Filing; Information Required: A qualified applicant for a single event permit shall file a written application at least forty five (45) days prior to the event date in the town offices in a form as the Town Manager shall prescribe. The application shall be accompanied by:
1. A bond as specified by section [3-4A-5](#) of this article;
 2. The times, dates, location, nature and purpose of the event;
 3. A description or floor plan designating:
 - a. The area in which the applicant proposes that alcoholic beverages be stored;
 - b. The site from which the applicant proposes that alcoholic beverages be sold or served; and
 4. A statement of the purpose of the association, corporation, church, or political organization, or its local lodge, chapter or other local unit;
 5. A signed consent form stating that authorized representatives of the town, or any law enforcement officer, will have unrestricted right to enter the premises during the event;
 6. Proper verification evidencing that the person signing the application is authorized to act on behalf of the association, corporation, church or political organization; and
 7. Any other information as the town manager may direct. (Ord. 91-003, 4-9-1991)
- B. False Statements: Any person who makes any false statement in any application, document or affidavit required by this article is guilty of a class B misdemeanor, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 91-003, 4-9-1991; amd. 2010 Code)

3-4A-3: QUALIFICATIONS:

- A. Term Of Existence As Organization: In order to qualify for a single event permit, the applicant shall have been in existence as a bona fide organization for at least one year prior to the date of application.
- B. Conviction Of Criminal Offense:
1. The Town Manager may not grant a single event permit to any person who has been:
 - a. Convicted of a felony under any federal or state law;
 - b. Convicted of any violation of any federal or state law or local ordinance concerning the sale, manufacture, distribution, warehousing, adulteration or transportation of alcoholic beverages; or
 - c. Convicted of any crime involving moral turpitude.

2. In the case of a partnership or corporation, the proscription under subsection A1 of this section applies if any partner, managing agent, officer, director, or stockholder who holds at least twenty percent (20%) of the total issued and outstanding stock of an applicant corporation has been convicted of any offense as provided in this subsection.
- C. Emergency Revocation: Upon the arrest of any single event permittee on any charge set forth in subsection A1 of this section, the town manager may take emergency action by immediately revoking the permit.
- D. Prior Revocations:
1. The town manager may not grant a single event permit to any person who has had any type of license, agency or permit issued under section [3-4-1](#) of this code revoked within the last three (3) years.
 2. The Town Manager may not grant a single event permit to any corporation or partnership applicant if any partner, managing agent, officer, director or stockholder who holds at least twenty percent (20%) of the total issued and outstanding stock of the applicant is or was a partner or managing agent of any partnership, or is or was a managing agent, officer, director or a stockholder who holds or held at least twenty percent (20%) of the total issued and outstanding stock of any corporation which had a liquor license, agency, or permit revoked within the last three (3) years.
 3. A corporation or partnership applicant may not be granted a permit if any partner or managing agent of the partnership or any managing agent, officer, director, or stockholder who holds at least twenty percent (20%) of the total issued and outstanding stock of the corporate applicant had a liquor license, agency, or permit revoked while acting in their individual capacity within the last three (3) years.
- E. Minors: A minor may not be granted a single event permit or be employed by a single event permittee to handle alcoholic beverages.
- F. Applicant No Longer Qualified: If a person to whom a permit has been issued under this chapter no longer possesses the qualifications required by this title for obtaining that permit, the Town Manager may suspend or revoke that permit. (Ord. 91-003, 4-9-1991)

3-4A-4: TOWN MANAGER'S DUTIES BEFORE GRANTING PERMIT:

- A. Investigation: Before any single event permit may be granted by the Town Manager, the Town Manager and staff shall conduct an investigation, gather information, as to whether or not a permit should be granted. The information shall be considered by the Town Manager in the determination.
- B. Considerations: Before issuing any single event permit, the manager shall:
1. Determine that the applicant has complied with all basic qualifications and requirements as provided by this article and that the application is complete.
 2. Consider the purpose of the organization or its local lodge, chapter or other local unit;

3. Consider the time, date, location and purpose of the event; and
 4. Consider any other factors or circumstances he considers necessary.
- C. Information To Other Agencies: Upon approval of any application and upon issuance of a single event permit, the town manager shall send copies of the approved application and the permit to state and local law enforcement authorities before the scheduled event. (Ord. 91-003, 4-9-1991)

3-4A-5: BOND REQUIRED:

- A. Amount: Any applicant for a single event permit shall post a cash or corporate surety bond in the penal sum of one thousand dollars (\$1,000.00), payable to the town, which the applicant has procured and must maintain for so long as the permit is in effect.
- B. Form: The bond shall be in a form approved by the Town Attorney, conditioned upon the permittee's faithful compliance with this article and other applicable state and local laws and ordinances.
- C. Withdrawal; Forfeit: No part of any cash or corporate bond so posted may be withdrawn during the period the permit is in effect. A bond filed by the permittee may be forfeited if the permit is revoked, or as necessary to pay clean up expenses or for damage to public or private property resulting for operation under the special permit. (Ord. 91-003, 4-9-1991)

3-4A-6: OPERATIONAL RESTRICTIONS:

- A. Compliance Required: Any organization granted a single event permit and any person involved in the storage, sale or service of beer, light beer, malt liquor or malted beverage at the event for which the permit is issued, shall abide by this title, all other applicable town ordinances, and the special conditions and requirements provided in this chapter. Failure to do so may result in an immediate revocation of the permit, forfeiture of the surety bond, immediate seizure of all alcoholic beverages present at the event, and disqualifies the organization from applying for a single event permit for a period of three (3) years from the date of revocation of the permit. Any alcoholic beverage seized under this subsection shall be returned to the organization after the event if forfeiture proceedings are not instituted under Utah Code Annotated section 32A-13-103.
- B. Conditions, Requirements: Special conditions and requirements for single event permits include, but are not limited to, the following:
 1. All persons involved in the storage, sale or service of alcoholic beverages at the event do so under the supervision and direction of the permittee.
 2. All alcoholic beverages stored, sold, served and consumed at the event shall be considered under the control of the permittee during the event. Attendees of the event

may not bring any alcoholic beverage other than that furnished by the permittee onto the premises of the event.

3. Each permittee shall post in a prominent place in the area in which alcoholic beverages are being sold, served and consumed a copy of the permit, together with a list of the operational restrictions and requirements of single event permits set forth in this section.
4. Alcoholic beverages purchased for the event may not be stored in any place other than that described in the application and designated on the permit. (Ord. 91-003, 4-9-1991)