

City Commission Policy 138 - City Property Alcohol Policy

DEPARTMENT: City Manager

DATE ADOPTED: January 14, 1998

DATE OF LAST REVISION: July 13, 2011 March 24, 1999

138.01 Authority: City Commission.

138.02 Purpose: To institute formal guidelines for the permitting of the use, sale, consumption, or advertising of alcoholic beverages on property owned, leased, or managed by the City of Tallahassee.

138.03 General Statement: The City Commission recognizes that the use, sale, consumption, or advertising of alcoholic beverages on property owned, leased, or managed by the City is generally inconsistent with the use of such properties and by general policy should be prohibited, but further recognizes that in certain circumstances and under special exception processes the use, sale, consumption, and advertising may be appropriate.

138.04 Scope and Applicability: This policy shall apply to all real property under the ownership, under long term lease, or management by the City.

138.05 Responsibility for Policy Implementation: The City Manager shall be responsible for the implementation of this policy with the authority to delegate all or any portion of the responsibility for implementation, including special exception permitting.

138.06 Special Exception Permitting: Any use, sale, consumption, or advertising of alcoholic beverages on property covered by this policy is prohibited except when permitted by written special exception. Special exceptions may be either *continuous* or for *special events* as specified below:

Continuous: The Manager may issue a continuous special exception for the sale, use, consumption, and advertising of alcoholic beverages for properties owned by the City where the City or a long term lessee of the City is the permanent alcoholic beverage licensee (including, but not limited to, properties such as Hilaman Park Golf Course, Forestmeadows Park and Athletic Center and Tallahassee Regional Airport). Continuous special exceptions may also be issued for the use and consumption only for properties such as (but not limited to) Oven Park and the Brokaw-McDougall house provided that written policies are in place which address the issues of concern with alcohol usage (referenced below).

The daily sale, use, and consumption of alcoholic beverages at the Jake Gaither Golf Course is prohibited, but the Golf Course special exception permit will continue to be used only for special events held at the facility (i.e., tournaments).

Special Events: The sale, use, consumption, or advertising of alcohol at special events may be permitted only by written special exception. Special event exception permits may be granted only to government or not-for-profit entities, and only after full compliance with the conditions set forth below.

138.07 Special Event Exception Permitting: Written applications shall be filed with the office designated by the manager at least thirty (30) working days prior to the special event. A reasonable application fee may be established by the City Manager. The application shall include the following, as well as any additional information required by the permitting office:

- a. A copy of the state application for a temporary non-profit organization permit;
- b. A copy of the permit issued by the state to sell alcoholic beverages;
- c. A plan for toilet facilities, electricity, public safety, security, traffic control, parking, solid waste, responsible consumption of alcoholic beverages, and clean up;
- d. A statement that the organization's special event will not include acts of violence, acts in violation of federal, state, or local laws, or disorderly conduct;
- e. Evidence of General and Liquor Liability Insurance, the amount set by the City Manager and the City's Risk Manager;
- f. A plan that outlines who will be involved with the sale and distribution of any alcoholic beverage, and the plan for training those individuals in the responsible sale and distribution of those products;
- g. A certificate of good standing by the Department of State or the Department of Agriculture and Consumer Service dated within 30 days of the event;
- h. A statement that all state and local licenses will be obtained prior to the special event; such as, food service, occupational, and tent and building permits (for stages or theatrical props);
- i. A statement that the non-profit organization was not requested to obtain this variance by any licensed retailer and that no other person or organization will receive any funds from the net proceeds realized from the sale of alcoholic beverages;
- j. A statement that no glass container will be sold or served;
- k. How their event will promote the City's image;
- l. A damage deposit of \$150.00 and replacement fee (to be billed) to cover any damage to the park or facility used during an event.
- m. A sketch of the designated area where alcoholic beverages are permitted at the special event;
- n. A security and traffic control plan.
- o. A plan for promotion and/or on-site advertising if any is proposed.

138.08 Criteria to be Used in the Granting, Denial, and Conditioning of a Special Event Exception Permit:

The permitting authority shall consider all of the following criteria in granting, denying, and conditioning a permit:

- a. Expected audience, e.g. adults only, families, youth
- b. Venue, e.g. indoors, plaza, closed street, general purpose park
- c. Time of day and day of week
- d. Adjacency of venue to other properties and events
- e. Whether the sale or advertising of alcohol is consistent with purpose of the venue

- f. Whether the sale or advertising of alcohol is consistent with the goals and objectives of the City as it relates to programs involved
- g. Safety and security of attendees and the general public
- h. Protection against damage to City property
- i. Supervision
- j. Liability

138.09 Exclusions: In no event shall a special exception permit be granted for the sale of alcoholic beverages in the City's general purpose parks, except for the Downtown Chain of Parks, Tom Brown Park, Phipps Park, Boulevard Park, Doug Burnette Park, and Forestmeadows Park and Athletic Center. Advertising of alcoholic beverages for the above listed parks may only be permitted by special exception when the City is a sponsor of the event.

138.11 City Ordinances and State Laws: Nothing in this policy shall be construed to amend or modify or exempt the holder of an alcoholic beverage license and/or special exception permit from full compliance with applicable City Ordinances or State Statutes.

138.12 Review: This policy shall be reviewed by the City Commission within one year of adoption after a report by the City Manager as to the effectiveness of the policy.

Revisions:
March 24, 1999
July 13, 2011