

## **Application for Alcohol Sale/Service on Public Property**

Thank you for choosing Bartlesville’s Parks for your event. We welcome activities for our residents and visitors. To assist us in making your event safe and positive for everyone, please complete the sections of this application that apply. Please review the Municipal Policy concerning the sale and/or distribution of alcoholic beverages on City property before submitting your application.

### **APPLICATION REQUIREMENTS**

The sale of alcohol at outdoor events in the City of Bartlesville will be by permit only. Organizers intending to sell or distribute alcoholic beverages at an event are required to:

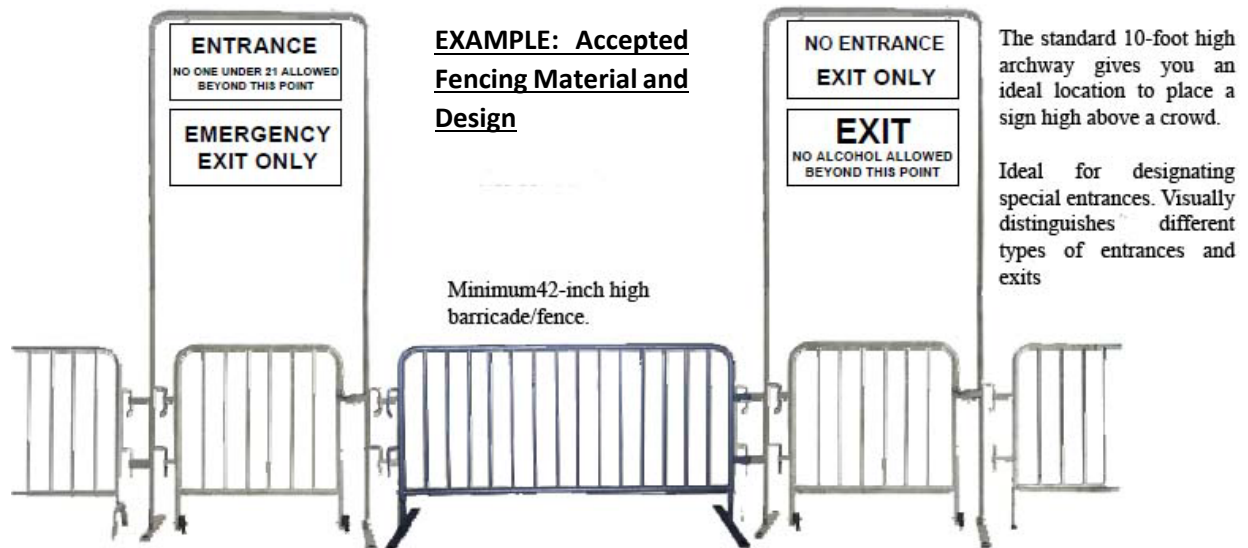
- Denote the intent to sell or distribute alcoholic beverages on the One-Start Outdoor Special Event Application.
- Attach a Site Plan for your event.
- Obtain a permit from the State of Oklahoma Alcoholic Beverage Law Enforcement Commission (ABLE): (405) 521-3484 or Toll Free 1-866-894-3517. Appendix A provides more information regarding ABLE Commission Permits.
- The Organizer must take the Approved Application for Alcohol Sale/Service on Public Property and the State of Oklahoma ABLE Commission. The approved application will denote special conditions and requirements from the City of Bartlesville.
- Events with more than 40 people must submit Liquor Liability Insurance naming the City of Bartlesville, its officers, employees and agents must be provided.

### **STANDARD ALCOHOL PERMIT CONDITIONS**

1. A Special Event Beverage Permit is required for the sale of alcoholic beverages or consumption as part of a special event.
2. Each approved concession area for the sale or dispensing of alcohol must be fenced off and have signs specifying the legal drinking age and hours of sales.
3. Alcohol will only be poured upon order and will not be stacked waiting for orders. Mobile vending of alcohol is not permitted. All alcohol sales must be at pre-approved concession areas.

## Special Events – Alcohol Sale/Service

4. The City of Bartlesville requires fencing of event areas to assist in orderly crowd control. Fencing is mandatory when alcohol is consumed.
5. The minimum standards for fencing will include the following, unless additional fencing is required by the City:
  - a. 42-inches high, minimum.
  - b. Fencing material must be in good condition, not posing a hazard to the public, and not in a state of disrepair.
  - c. Gates for public access must be clearly identified and manned by staff or volunteers at all times.
  - d. Fencing may be erected no earlier than two (2) days before the event and must be removed within two (2) days of conclusion. Exception to the removal request is when there are two or more back to back events sharing the cost of the fencing.
  - e. All sidewalks and driveway entrances **MUST** be kept open for use by citizens until the day the event is scheduled to open and between events, if they are back to back.
  - f. A diagram showing the fence location must be approved by City staff.



6. Alcohol is consumed only within the designated event area and may not be carried out of the event area.
7. No cans or bottles of alcohol are brought into the designated event area by attendees or the public. To enforce this rule, the Organizer must provide adequate licensed private security, as determined by the Police Department.

8. Persons who serve or sell alcoholic beverages shall be at least twenty-one (21) years of age.
9. No person under the age of 21 years shall be served or allowed to consume alcohol.
10. Events will be required to visually identify persons who can legally purchase alcoholic beverages with an observable, distinctive hand stamp or a wristband.
11. All persons while working inside the alcohol concession areas may not consume alcohol in or around the area until their shift is completed.
12. No person shall be served who appears to be intoxicated.
13. No more than two (2) alcoholic beverages may be sold per customer, per sale.
14. Glass may only be used under circumstances with catered event staff where organizer can quickly clean up any broken glass to prevent safety concerns.
15. No cans or bottles of alcohol may be brought into the designated event area by attendees.
16. Hours of sale will be determined by the Bartlesville Police Department. In general, the service of alcoholic beverages will cease no later than forty-five (45) minutes prior to the event (or stage) closing time. “Last Call” announcement must be made at least one (1) hour before the scheduled end of the event.
17. Commencement of alcohol service/sales shall not begin prior to start time of the event.
18. Proof of ABLE Commission or Oklahoma Tax Commission and Washington County Licenses is required for issuance of the Special Event Beverage License permit.
19. The event organizer is responsible for compliance with all Federal, State and local laws and ordinances.
20. Supervision of the distribution, sales and operation of alcoholic beverage concession area(s) shall at all time be under the control of the licensed organization. No other person or entity shall have authority to sell, pour, or distribute alcoholic beverages.
21. A copy of the City of Bartlesville License Conditions and the ABLE Commission License Conditions will be maintained and posted at every alcohol concession area during the event.
22. Police may close alcohol sales at any time if they determine that controls are not being adhered to or in the interest of public safety.
23. Upon demand of any peace officer, licensee shall immediately surrender the license and cease all sales of alcoholic beverages.
24. Alcohol consumption laws will be enforced by both the City of Bartlesville Police and the State of Oklahoma ABLE agents.

(Application begins on next page)



Special Events – Alcohol Sale/Service

# Application for Alcohol Sale/Service on Public Property

Today’s Date: \_\_\_\_\_

Event Name: \_\_\_\_\_

Event Location: \_\_\_\_\_

Event Times: \_\_\_\_\_

**Sponsoring Organization:** \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## Event Details:

Will the event be open to the public? \_\_\_\_\_

Will there be a charge for your event or for drinks? \_\_\_\_\_

Type of alcohol to be served or sold? \_\_\_\_\_

Estimated Number of Attendees or Invitees: \_\_\_\_\_

**SITE PLAN**

The site plan is a drawing of your entire event including details that helps staff prepare services and emergency plans for your event. Please include the following in your drawing:

- The names of all streets or areas that are part of the venue and the surrounding area.
- Show location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access.
- Show location of all alcohol concession areas.

**CERTIFICATION**

I certify that the information contained in the foregoing application is true and correct to the best of my knowledge and belief that I have read, understood, and agreed to abide by the rules and regulations governing this application. I agree to comply with all other requirements of the city, county, state, federal government, and any other applicable entity which may pertain to the use of this application.

As a condition to the issuance of a temporary Special Event Alcohol Permit, the licensee shall indemnify and hold the City harmless from claims, demand or cause of action which may arise from activities associated with the special event.

---

Applicant Signature Date

---

[This section for office use only]

**CITY STAFF:**

<input type="checkbox"/> Approved <input type="checkbox"/> Insurance Policy Received	<input type="checkbox"/> Not Approved <input type="checkbox"/> Site Plan Received
---	--

---

Chief of Police or Designee Date

# Appendix A

## ABLE Commission License Categories

### CAB - Charitable Alcoholic Beverage Permit

- Strong Beer, Wine or Liquor
- \$55.00 per Event
- May have 8 events per year
- Event can be held for up to 4 consecutive days in length
- Alcohol may be purchased from a retail store or donated
- May utilize a licensed caterer for additional alcoholic beverage services
- Permits licensee to include alcoholic beverages as part of the entrance fee or ticket price
- Must be recognized by the IRS as a 501 (c) 3, 4, 5, 7, 8, 9, 10 or 19

### CAU – Charitable Alcoholic Beverage

- Strong Beer, Wine or Liquor
- \$1.00 per auction
- May have 4 events per year
- Event can be held for up to 2 consecutive days in length.
- Alcohol may be purchased from a retail store or donated.
- Permits licensee to auction alcoholic beverages in original sealed/un-opened bottle
- Must be recognized by the IRS as a 501 (c) 3, 4, 5, 7, 8, 9, 10 or 19

### SPE – Annual Special Event

- Available to organizations, associations, and non-profit corporations organized for political, fraternal, charitable, religious, or social purposes
- Permits the licensee to sell alcoholic beverages by the individual drink
- \$55.00
- Up to 4 events not to exceed 2 events in any 3-month period
- Event can be held for up to 10 consecutive days in length
- Must post a bond with the Oklahoma Tax Commission
- Must notify ABLE at least 10 days prior to each event
- Must purchase alcohol from licenses wholesalers
- Must pay City/County Occupational Tax (register with the City of Bartlesville)

### SPQ – Special Event Quarterly

- Available to organizations, associations, and non-profit corporations organized for political, fraternal, charitable, religious, or social purposes
- Permits the licensee to sell alcoholic beverages by the individual drink
- \$55.00
- Up to 3 events to be held over a period of not more than 3 months

## Special Events – Alcohol Sale/Service

- Event can be held for up to 10 consecutive days in length
- Must post a bond with the Oklahoma Tax Commission
- Must notify ABLE at least 10 days prior to each event
- Must purchase alcohol from licensed wholesaler
- Must pay City/County Occupational Tax (Register with the City of Bartlesville)

### PEV – Public Event (Annual)

- Available for “For-Profit” business
- Permits the licensee to sell alcoholic beverages by the individual drink
- \$1,005.00 per Calendar Year
- May have 6 events per calendar year
- Event can be held for up to 3 consecutive days in length.
- After initial licensing, must notify ABLE 10 days prior to subsequent events
- Must post a bond with the Tax Commission
- Must purchase alcohol from licensed wholesaler
- Must obtain a storage license for alcohol that is not used
- Must obtain City/County approval and pay City/County Occupational Tax (Register with the City of Bartlesville)

### PUE – Public Event (one time)

- Available for “For-Profit” business
- Permits the licensee to sell alcoholic beverages by the individual drink
- \$255.00 per event
- Is only valid for a single event
- Event can be held for up to 3 consecutive days in length
- During application process, date(s) must be finalized 10 days prior to the event
- Must post a bond with the Tax Commission
- Must purchase alcohol from licensed wholesaler
- Must obtain City/County approval and pay City/County Occupational Tax (Register with the City of Bartlesville)

### ABLE Commission License Categories – Example Scenarios

1. A **charitable organization recognized as a 501c (3)** tax exempt by the IRS is having an event. At the event, they will be serving wine, beer, and spirits that were donated by an individual or purchased by the charitable organization from a local retail package store. The event attendance ticket will include access to the alcoholic beverages. Do they need any type of license?

*Yes, they would need to obtain a “Charitable Alcoholic Beverage Event” license from the ABLE Commission. This license allows the holder of such license to have wine, beer, and/or spirits donated or they may purchase it themselves from a retail package store. It allows them to include the alcoholic beverages as part of the ticket price or event entrance fee.*

2. A **charitable organization recognized as a 501c (3)** tax exempt by the IRS is having an event. They will be utilizing the services of a licensed caterer. The alcoholic beverages will be obtained at an open bar or purchased by the patron at a cash bar. In either case, the alcohol is provided by the licensed caterer. Do they need any type of license?

*Yes, when the charitable organization obtains a “Charitable Alcoholic Beverage Event” license, State Statute specifically allows them to utilize the services of a licensed caterer.*

3. A **charitable organization recognized as a 501c (3)** tax exempt by the IRS is having an event. At the event, they will be selling wine, beer, and/or spirits by-the-individual drink. Do they need any type of license?

*Yes, because they are selling the alcohol, they need to obtain a “Special Event” license instead of a “Charitable Alcoholic Beverage Event” license from the ABLE Commission.*

Is it permissible for them to utilize the services of a licensed caterer at the “Special Event?”

*No, the “Special Event” license holder must post a bond with the Oklahoma Tax Commission and order their alcohol from a licensed “Class B Wholesaler” and/or “Wholesaler.”*

4. A **charitable organization recognized as a 501c (3)** tax exempt by the IRS is having an event at a local hotel, casino or restaurant. The business is already licensed by the ABLE Commission to sell alcoholic beverages. The business is providing all of the alcoholic beverage services. Does the charitable organization need any type of license?

*No, the business whose premises they are holding the event on has a license. However, if the charitable organization wants to bring their own alcoholic beverages to provide at the event, they must obtain a “Charitable Alcoholic Beverage Event” license. Both licensees will then become responsible for any violations at the event.*



5. A **charitable organization recognized as a 501c (3)** tax exempt by the IRS is having an event. They are auctioning wine, beer, and/or spirits. Do they need any type of license?

*Yes, they would need a “Charitable Alcoholic Beverage Event” license. This license allows the license holder to auction sealed/unopened bottles of wine, beer, and/or spirits as part of a charitable fundraising event. These alcoholic beverages may be purchased at a retail package store or donated by an individual. A “Charitable Alcoholic Beverage Event” license may be issued for an event to be held on a premises belonging to another licensee. However, both licensees will then become responsible for any violations at the event.*

### Special Event ABLE License – Example Scenarios

1. A **civic non-profit organization that is not recognized by the IRS as a 501c (3)** is holding an event. They will be selling or furnishing wine, beer, and/or spirits to event attendees’ by-the-individual drink. Do they need any type of license?

*Yes, because they are selling or furnished the alcohol, they would need to obtain a “Special Event” license.*

2. Is it permissible for the event holder to utilize the services of a licensed caterer at a “Public Event?”

*No, The “Public Event” license holder must post a bond with the Oklahoma Tax Commission and order their alcohol from a licensed “Class B Wholesaler” and/or “Wholesaler.”*

### Public Event ABLE License – Example Scenarios

1. A **local for-profit business is holding an event.** The event is open to the public and anyone may attend the event. The event holder will be selling or furnishing wine, beer, and/or spirits at the event. Does the event holder need any type of license?

*Yes, the event holder needs to obtain a “Public Event” license from the ABLE Commission.*

Is it permissible for the event holder to utilize the services of a licensed caterer at the “Public Event?”

*No, the “Public Event” license holder must post a bond with the Oklahoma Tax Commission and order their alcohol from a licensed “Class B Wholesaler” and/or “Wholesaler.” Additionally, all managers, as well as employees participating in the sale or handling of the alcohol, must obtain an “Employee” license.*

2. **A local for-profit business is having an open house** and has invited all of their employees and clients to attend. The business will be providing wine, beer, and/or spirits to their guests and serving light food. There is no charge to attend and all alcohol and food is free. The business is closed at the time of the event and the public cannot enter. Does the business need a “Public Event” license?

*No, there would be no license needed as it is a private party. All of the attendees have been invited and they have an established specific prior relationship to the event holder.*

Is it permissible for them to utilize the services of a licensed caterer at the “private party?”

*Yes, a licensed caterer may be used for bona fide private parties. The hold of the “private party” may offer an open bar utilizing the licensed caterer or may contract with the caterer to provide a cash bar. If it is a cash bar, the private party all sales go to the licensed caterer.*

3. **The local Fire Department Auxiliary is having a yearly awards ceremony and banquet.** They have extended an invitation to all Fire Department employees, their families, award recipients, and to certain other specific governmental employees. There is a charge for the event tickets and it includes the dinner that is provided. At the event, there will be a cash bar provided by a licensed caterer that the Fire Department Auxiliary hired for the event. No alcoholic beverages are provided as part of the ticket price. All alcohol is purchased from the caterer’s cash bar. Does the Fire Department Auxiliary need any type of license?

*No, this would be considered a “private party.” Even though tickets are sold to attend, all of the attendees have been invited and they have an established specific prior relationship to the event holder. The event is not open for the general public to attend and alcohol is not provided as part of the ticket price. Therefore, the use of the licensed caterer is allowed and all sales go to the licensed caterer.*

4. **A local radio station is sponsoring an event.** There will be either an open bar provided or a cash bar utilizing a licensed caterer at the event. Their advertisements, verbal and visual, state that anyone can sign up for an invitation at any of the local service stations and grocery stores. The event holder maintains that it is a private party. Does the event holder need any type of license?

*Yes. Offering the general public the ability to sign up and to be invited is not a private party. If anyone in the general public can sign up to attend, it is a public event and therefore a “Public Event” license is required. In this scenario, the event holder could not have an open bar or use a licensed caterer. The event holder would have to sell the alcoholic beverages his/herself under the “Public Event” license.*