

CITY OF CHEYENNE

BUSINESS PERMIT APPLICATION

MALT BEVERAGE PERMIT

(REQUESTING WAIVER OF OPEN CONTAINER LAW)



FEE (\$50.00 PER DAY): _____

PERMIT #: _____

This application is for a malt beverage permit authorizing the sale of malt beverages only at a special community-based event within the City of Cheyenne (City Code Title 5, Chapter 5.12). No alcoholic liquor other than malt beverages may be sold on the premises authorized by the permit, and no malt beverages may be sold or consumed off the premises as authorized by the permit. NO GLASS CONTAINERS ARE PERMITTED.

ATTACH THE FOLLOWING:

Written description of the proposed community based event, including a suitable drawing reflecting:
- Site plan with consumption boundaries
- Location of malt beverage dispensing room(s)
- Location of any tent(s), food prep and serving areas, or other temporary fixtures

Proof of general liability insurance, including a liquor liability provision with minimum coverage of \$1,000,000.00, covering the event. Insurance must be provided by applicant.

If requesting a reduction of fees, applicant must be a non-profit organization (per IRS definition). Applicant needs to submit a letter addressed to the City Clerk requesting same. (City Code Section 5.12.030 states "... the City Clerk may grant a permit at a lower daily fee of not less than \$10.00 to a nonprofit organization.")

If applicant is filing on behalf of a non-profit corporation and the permit is for malt beverage sales at an annual community event open to the public and a malt beverage industry representative is furnishing, giving or lending money or other things of value to the corporation:

- Is the non-profit corporation organized under the laws of this state? YES NO
Has it been in continuous operation for a period of not less than 2 years from the date of this application? YES NO
Is it qualified as a tax exempt organization under the Internal Revenue Code? YES NO

TITLE OF EVENT: _____

APPLICANT NAME: _____

ADDRESS/CITY/STATE/ZIP: _____

MAILING ADDRESS (if different from above): _____

TELEPHONE #: _____ FAX #: _____

IF APPLICANT IS REPRESENTING AN ORGANIZATION, PLEASE PROVIDE THE FOLLOWING:

ORGANIZATION NAME: _____

ORGANIZATION ADDRESS: _____

ORGANIZATION PHONE #: _____

IS APPLICANT CONTACT PERSON FOR EVENT? If not, provide name and phone number of contact person: _____

LOCATION OF EVENT AND MALT BEVERAGE SALES: _____

If location is to be within one of the city parks, please list which park and the area in park:

Park: _____

Location: _____

DATE(S) OF EVENT: _____

PERMIT HOURS REQUESTED: _____

WHAT TYPE OF SECURITY MEASURES ARE PLANNED FOR ALCOHOL CONTROL? _____

AFFIDAVIT/AUTHORIZATION

The undersigned applicant hereby authorizes the City of Cheyenne and its agents and employees to seek information and conduct investigations into the truth of the foregoing statements as set forth in this application, and agrees to comply fully with the Rules and Regulations of the City of Cheyenne, Wyoming, governing the license requested, and further declares that the foregoing information contained in this application is true and correct.

Applicant Signature

Date

I understand any individuals who will be selling or dispensing malt beverages are 21 years or older and have received applicable training on alcohol related sales and services.

This application is available in alternative, accessible formats upon request.

FILING DEADLINE: A minimum of 5 full working days is required to process application

APPROVALS:

The City Clerk will provide written approval only after all other approvals have been obtained. The City Clerk's staff will acquire these approvals for applicants.

Police Department: _____
(415 W. 18th St./637-6521)

Community Recreation and Events (if applicable): _____
(2101 O'Neil Avenue, Room 302/638-4356)

Traffic Department (if applicable): _____
(2101 O'Neil Avenue, Room 210/637-6288)

Risk Manager: _____
(2101 O'Neil Avenue, Room 304/637-6335)

Programs and Facilities Manager (if applicable): _____
(4603 Lions Park Dr./637-6423)

City Clerk: _____
(2101 O'Neil Avenue, Room 101/638-4301)

FOR USE BY CITY CLERK'S OFFICE:

BY: _____

M/R # _____ **FEE PAID \$** _____ **DATE PAID:** _____ **DATE ISSUED:** _____

BY: _____ **COMMENTS:** _____

**RESPONSIBILITY / LIABILITY OF
MALT BEVERAGE AND CATERING PERMITTEES**

1. Application fee for a malt beverage or catering permit must be paid by the applicant.
2. In receiving the permit, the applicant assumes all accompanying responsibility and may not transfer or delegate any authority to sell/dispense beverages to another person or organization.
3. The applicant is liable for strict adherence to state and local laws governing the permit. Proof of general and liquor liability insurance in amounts determined by the City Risk Manager*(but not less than \$1,000,000.00 for liquor liability) is required for malt beverage permit applicants if the location for sales will be upon city-owned or public right-of-way property. All certificates of insurance must name the City of Cheyenne as an additional insured as well as certificate holder.

* The City Risk Manager may contact the applicant concerning the activity for which a permit is requested to assist in determining general and liquor liability coverage amounts.

4. The applicant must personally supervise and be responsible for all employees who sell or dispense the beverage and acknowledges that employees must be at least 21 years of age. If requested by the City Clerk or Chief of Police, applicants may be asked to provide applicable training** to employees who will be selling/dispensing under the permit.
5. Malt beverages or alcoholic liquors purchased to be sold in conjunction with a permit must be ordered and purchased by the applicant/permittee. All sales taxes and other fees required by law is the responsibility of the applicant/permittee.
6. Approval of sales/dispensing areas and operations (including proposed consumption areas) are required per authority set out in Chapter 5.12.010 (A)(B)(C)(D) of Cheyenne City Code and State Statute.
7. Proceeds from the sale of malt beverages and/or alcoholic liquors must be credited to the applicant/permittee.
8. Applicant understands that under the permit they can not promote or advertise the sale of malt beverages and/or alcoholic liquors as a temporary bar or lounge environment.
9. Any violation of Federal, state or city laws will result in a permit being immediately revoked.
10. If operating under a catering permit, applicant must comply with applicable dispensing room requirements as set forth in City Code and State Statute.

** For Training assistance, permittees may contact the Wyoming Liquor Division (Ph. 307-777-7231) or Cheyenne Police Department (Ph. 307-637-6521).

**CITY OF CHEYENNE
ADMINISTRATIVE GUIDELINES**

**MALT BEVERAGE AND/OR CATERING PERMITS (restricted)
REQUESTING WAIVER OF OPEN CONTAINER FOR
SPECIAL COMMUNITY-BASED EVENTS AND ACTIVITIES**

The following criteria is used as an administrative guideline when considering applications to the City Clerk for special malt beverage and/or catering permits (restricted) requesting waiver of open container, as provided by City Code Section 5.12.060, for special community-based events and activities.

A malt beverage permit authorizes sales of those beverages meeting the definition of malt beverage pursuant to Title 12, Wyoming Statutes. Pursuant to City Code Chapter 5.12.060, a catering permit (restricted) authorizes sales of wine, including champagne, and malt beverages only.

CRITERIA:

1. Purpose of application must be in conjunction with a special community-based event or activity, and should focus on a community oriented theme, event, activity or celebration which is open to the general public for participation.
2. Permit application fee must be paid by the applicant and signed by an authorized representative for the proposed event/activity. Applicants will be required to sign a written release, indemnification and hold harmless agreement as contained in the permit application form.
 - a. A Special Event/Activity checklist form, provided by the office of City Clerk, must be completed and submitted with each application.
3. In receiving a permit, the applicant agrees they are assuming all responsibility in connection with the permit, and may not transfer or delegate any authority to sell or dispense beverages authorized under a permit. Applicants can not promote or advertise to the public the sale of malt beverages and/or alcoholic liquors as a temporary bar or lounge environment.
4. The applicant is liable for strict adherence to applicable Federal, state and local laws governing the permit. Proof of general and liquor liability insurance in amounts determined by the City Risk Manager* (but not less than \$1,000,000.00 for liquor liability) is required. All certificates of insurance must name the City of Cheyenne as an additional insured for the event/activity as well as certificate holder.

* The City Risk Manager may contact applicants concerning the proposed event/activity to obtain information to assist in determining the amounts of insurance coverage required for general and liquor liability.
5. Applicants assume responsibility for supervising all persons providing beverage sales/dispensing and acknowledge that those persons must be at least 21 years of age. Applicants will be required to provide applicable alcohol server training**to those persons who will be selling/dispensing under the permit.

6. Sales/dispensing locations and consumption boundaries for an event/activity will be determined and approved by the Chief of Police, Community Recreation and Events, City Risk Manager and City Clerk. Sales/dispensing and consumption boundaries will be adequately marked and flagged for the duration of the event as required by the Chief of Police, Special Projects Director and City Clerk.
 - a. All beverage products to be dispensed will be provided in non-glass, non-breakable containers (example: plastic cups).
 - b. In addition to authority provided by Chapter 5.12.010 of City Code, the Chief of Police may impose any recommendations or requirements deemed necessary to provide for on-site monitoring of permit activities affiliated with sales, dispensing and consumption and to ensure compliance with laws and regulations
 - c. Drinking games/competitions are not allowed.
 7. A suitable drawing of the site of the proposed area for the event/activity (including proposed consumption boundaries) must accompany the application. The drawing must depict such areas as the sales/dispensing locations, location of any affiliated activities, such as food stands, temporary vendors, etc. A list of affiliated activity participants/vendors must also be submitted with the application.
 8. The Chief of Police reserves the right to deny approval of any application for the health, safety and welfare of the public.
- ** For Training assistance, permittees may contact the Wyoming Liquor Division (Ph. 307-777-7231 or Cheyenne Police Department (Ph. 307-637-6521).

SPECIAL EVENT PERMIT FOR ALCOHOL SALES-LAW ENFORCEMENT CONDITIONS OF APPROVAL

A Reasonable Malt Beverage and Alcohol Sales and Control Plan

NAME OF EVENT: _____ PERMIT# _____

DATES: _____ TIMES: FROM _____ TO _____

1. CHECK STATE APPROVED IDENTIFICATION AND DO NOT ALLOW UNDERAGE POSSESSION OF ALCOHOL.
2. RESTRICT ALCOHOL SALES AND CONSUMPTION TO CLEARLY DESIGNATED AREAS ON PROPERTY.
3. LIMIT MALT BEVERAGE SERVINGS TO 16 OZ. WITH NO MORE THAN TWO (2) SERVINGS GIVEN TO ONE CUSTOMER AT A TIME.
4. BOTTLES ARE PROHIBITED. IF CANS ARE SERVED, THEY SHALL BE OPENED FOR THE CUSTOMER.
5. NO SERVICE TO EXCESSIVELY INTOXICATED INDIVIDUALS (MUNICIPAL CODE § 5.12.160).
6. OFFER NON-ALCOHOLIC BEVERAGES AS PROMINENTLY AS ALCOHOLIC BEVERAGES.
7. REQUIRE ALCOHOL SERVER TRAINING FOR ALCOHOL SERVERS AND EVENT STAFF.
8. STOP ALCOHOL SERVICE AT LEAST 45 MINUTES BEFORE EVENT CLOSING.
9. RESTRICT AGE OF SERVERS TO ONLY INDIVIDUALS 21 YEARS OF AGE OR OLDER.
10. HAVE ADEQUATE SECURITY (MUNICIPAL CODE § 5.12.050 (D)).
11. REQUIRE MANAGER(S) ON DUTY TO BE PRESENT AT ALL TIMES DURING THE EVENT.
12. EVENT STAFF SERVING ALCOHOL AND ON DUTY SECURITY SHALL NOT CONSUME ALCOHOL DURING THE EVENT.
13. MANDATORY STAFF MEETING TO EXPLAIN POLICIES, PROCEDURES, LAWS, AND THESE REQUIREMENTS.
14. NOTIFY THE POLICE FOR ALL ACTS OF VIOLENCE AND CRIMINAL OFFENSES (MUNICIPAL CODE § 5.12.090).
15. MONITOR GROUNDS FOR SUSPICIOUS ACTIVITIES AND REPORT TO LOCAL LAW ENFORCEMENT AS NEEDED.
16. PERMIT AREAS SHALL BE POSTED, "NO ALCOHOL BEYOND THIS POINT" AT EXIT POINTS.
17. FINAL PERMIT AS WELL AS THESE REQUIREMENTS SHALL BE POSTED PROMINENTLY IN PERMIT AREAS.
18. CONTACT THE CHEYENNE POLICE JUVENILE DIVERSION OFFICER IF YOU WOULD LIKE TO USE IDENTIFICATION SCANNERS FOR YOUR EVENT.
19. IF THE EVENT WILL HAVE YOUTHFUL ATTENDEES, THE USE OF WRIST BANDS ARE REQUIRED FOR THE CONSUMPTION AREA UNLESS CONSUMPTION WILL BE LIMITED TO BEER GARDENS.

OTHER CONDITION REQUIRED BY THE CHIEF OF POLICE AS OUTLINED IN THE PERMIT:

APPLICANT SIGNATURE: _____ DATE: _____