



Council Business Meeting

December 19, 2023

Agenda Item	Second Reading – 3227 – An ordinance allowing Alcohol Use in Parks	
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Item Type	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Direction <input type="checkbox"/> Presentation <input type="checkbox"/> Consent <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> New Business <input type="checkbox"/> Old Business <input type="checkbox"/>	

SUMMARY

First Reading of a proposed ordinance to Allow Alcohol Use in Parks for Specific Circumstances. The presented ordinance language was unanimously recommended to City Council by the Parks and Recreation Commissioners on Oct 11, 2023.

City Council reviewed the ordinance language in their Nov 21, 2023 business meeting and approved the ordinance language with amendments. Council asked Parks to address two concerns in the APRC Alcohol Use in Parks Policy. One related to security concerns. The other related to preferred locations for large events.

Parks commissioners unanimously approved additions to the APRC Alcohol Use in Parks Policy at their Dec 6, 2023 Business Meeting. The updated policy includes language that clarifies and addresses Council concerns. Proposed ordinance language remains broad, to allow flexibility in implementation. Changes to APRC internal policies can be easily modified, and therefore able to adapt to the needs of APRC special events program as it develops.

POLICIES, PLANS & GOALS SUPPORTED

APRC Biennium Goals

- Seek out and support opportunities for community building through programs and events in our parks, open spaces and trail networks that celebrate art, music, sports and nature.

Council Priorities

- Community Investment: Downtown revitalization
- Quality of Life: Arts and Entertainment
- Economic Opportunity/Vitality: Diversify the local economy; broaden options for tourism/visitors; attract more families to live in Ashland.

BACKGROUND AND ADDITIONAL INFORMATION

Currently, the Ashland Municipal Code Chapter 10.68.090: Intoxicating liquor prohibited states:
It is unlawful for any person to take any intoxicating liquor or beverage into any portion of the public parks of the City, (with notable exceptions for the Calle Guanajuato, Oak Knoll Golf Course and Oregon Shakespeare Festival (OSF)).

Allowing the limited sale/service of alcohol within parks in conjunction with an APRC Special Event permit, an OLCC permit and an APRC Alcohol Use in Parks Permit has several benefits. First, it attracts





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event organizers to choose Ashland parks for their events, as alcohol service is often perceived as a desirable feature of many events. Second, it enables revenue generation for vendors and event organizers, so the entire enterprise is more economically feasible. Finally, increased events and activities within the park will bring increased visitation and corresponding economic activity to local businesses.

Staff have worked to provide legal and policy structure to support limited and focused use of alcohol in parks. The current structure provides ONLY for permitted events that physically separate alcohol service/sale to individuals that are 21+ years of age (i.e., a Beer/Wine Garden) OR are holding an event in a space in the park where entrance/exit can be controlled and only 21+ adults are present (ex. The Ashland Japanese Garden). Additionally, the APRC Rules included in this packet limit the type of alcohol service to wine, beer, hard cider, as opposed to "hard" alcohol. However, staff have crafted broad ordinance language to allow for change in APRC rules and policies into the future.

Key points:

1. The Special Event Permit is already a requirement for parks events. A supplementary Alcohol Use in Parks Application, along with an OLCC permit, would be added as a requirement if service of alcohol is requested.
2. General Liability insurance of 2 million is always required for events and liquor liability would be an added requirement for the insurance.
3. The Ashland Parks and Recreation Director or designee shall, in collaboration with Ashland Police and Legal Departments, determine security requirements for events on a case-by-case basis. This includes the approval of private security companies, when necessary.
4. Preferred locations for special events are Lithia Park Band Shell, Ashland Japanese Garden, North Mountain Park Pavilion and Oak Knoll Golf Course. Other proposed venues shall be reviewed by the Director or designee on a case-by-case basis for appropriate use.
5. The first phase of this new policy allows only beer, wine, hard cider, as opposed to "hard" alcohol. However, the ordinance language does not specify a type of allowed alcohol. Staff recommend starting this policy with the most conservative approach possible: with a lower percentage alcohol in a controlled setting. As staff experience, capacity, and systems develop, APRC hopes to provide for other types and settings of alcohol use in parks.
6. There is a current non-refundable "Alcohol Fee" of \$150 in the Miscellaneous Fees and Charges document approved by City Council. This fee was established when APRC used to manage Pioneer Hall and the Community Center for weddings and other events. APRC proposes to use this existing fee for the first phase of this new policy until the Miscellaneous fees and Charges get reviewed again May/ June of 2024.

FISCAL IMPACTS

Allowance of alcohol in parks during special events has the potential to increase revenues to parks in the form of additional fees for services. It also can serve as an attractor to visitors/tourists, thereby increasing economic activity to local businesses.



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APRC anticipates that some level of additional planning and staff support is needed to facilitate a predicted increase in events and accompanying event logistics.

SUGGESTED NEXT STEPS

Staff recommends that Council approve Second Reading of Ordinance 3227- An ordinance allowing Alcohol Use in Parks.

REFERENCES & ATTACHMENTS

- APRC Special Events Permit (Already in use)
<https://www.ashland.or.us/page.asp?navid=18133>
- OLCC permit (State permit for alcohol service)
<https://www.oregon.gov/olcc/Pages/portalservicepermits.aspx>
- Alcohol Use in Parks Supplementary Application (Attached)
- APRC Rules for Alcohol Service in Parks (Attached)

City Utilities – Pay Online, Connect/Disconnect and More

Special Event Request

City of Ashland ▼

APPLICATION for Special Event Permit

Thank you for taking the time to complete the APRC Special Event/Outdoor Activity Request APPLICATION. The applications must be submitted at least 90 days ahead of the proposed event. You will be invoiced for a \$75 application fee.



*NOTE: This form is for Special Events that are open to the public and must be approved by our Volunteer & Event Coordinator, **Sulaiman Shelton**. This form is not for private events. For information on planning a private event, please **email** or call 541.488.5340.*

The asteriks indicate fields that are required.

*** Applicant Name:**

Organization:

*** NAME OF THE PROPOSED EVENT:**

*** MAILING ADDRESS:**

*** PHONE** *(no spaces, no non-numeric symbols):*

*** Email:**

*** DATE(S) of EVENT:**

*** HOURS of EVENT** *(include set-up and take-down):*

*** LOCATION of EVENT***(include park name and location):*

*** ON-SITE CONTACT PERSON** *(day of the event):*

*** PHONE FOR ON-SITE CONTACT** *(no spaces, no non-numeric symbols):*

*** TYPE OF EVENT** *(Provide a specific, detailed description of the event. Include site plans, maps and any special requirements. Special requirements may include portable toilets, trash cans, amplification, promotion and potential impacts on the site):*

CHECK ALL THAT WILL APPLY TO YOUR EVENT: stakes in the ground canopies tents
 electricity generators running chutes finish line arches

*** WILL YOUR EVENT REQUIRE A STREET CLOSURE?**

- Yes
- No

List streets if applicable:

List times for street closure if applicable:

*** WILL YOUR EVENT REQUIRE AMPLIFICATION?** *(If yes, prior approval by APRC required for all parks, with the exception of the Lithia Park Butler Memorial Bandshell. The amplification limit at the bandshell is currently at 1.5 hours, no louder than 75 decibels and must end by 8 p.m.)*

- Yes
- No

*** ARE YOU REQUESTING A BOOTH?** *(If yes, and your booth request is for Lithia Park, see the Butler Memorial Bandshell site plan link in your confirmation email. In addition, review the Selling in Parks & Special Event Booth Policy, also in your confirmation email)*

- Yes
- No

HOW MANY BOOTHS? *(The maximum number of booths allowed is 25, no larger than 10' x 10')*

IS YOUR BOOTH INFORMATIONAL OR ARTISIAN?

- Informational
- Artisan
- Mix of both

WHAT HOURS WILL THE BOOTH/S BE OPEN?

WILL MONEY BE EXCHANGED AT THE BOOTH/S?

- Yes
- No

If yes, how much in sales are you expecting?

Is a percentage of money from vendor booths supporting this event?

- Yes
- No

*** HOW MANY PEOPLE DO YOU ANTICIPATE WILL ATTEND THE EVENT?**

*** IS THE EVENT A FUNDRAISER?**

- Yes
- No

*** IS THE ORGANIZATION RESPONSIBLE FOR COORDINATING THE EVENT A 501c3?**

- Yes

No

*** IS THERE A FEE ASSOCIATED WITH THE EVENT?**

Yes

No

If yes, how much is the event fee? *(Note: With the exception of booths, selling in parks is prohibited; however, donations are allowed - Review the Selling in Parks & Special Event Booth Policy in your confirmation email)*

*** PLEASE DESCRIBE YOUR PLAN FOR RECYCLING AND CLEAN-UP DURING AND AFTER THE EVENT.**

*** REQUIREMENTS FOR RESTROOMS - The event organizer is responsible for providing portable toilets if it is estimated that there will be more than 200 people in attendance. Please describe your plan.**

*** PLAN FOR POTABLE WATER - Potable water is not available. The event organizer is responsible for supplying drinking water for the event. Please describe your plan.**

*** PLAN FOR GREY WATER - Please describe your plan to contain and dispose of grey water off-site.**

PLEASE ACKNOWLEDGE THE WAIVERS BELOW BY INITIALING IN THE SPACE PROVIDED

*** APPROVAL PROCESS - I understand that APCR staff will review my completed application and respond as soon as possible. Submission of application does not mean the event has been approved. Staff will contact me directly by email or letter. Please note that some events do require Commission approval and may require you to present your request at a Commission Business Meeting. Event requests requiring Commission approval should be submitted three (3) months prior to the the requested event date.**

*** INSURANCE - I understand that I must show evidence of two (2) million in liability insurance and the City of Ashland must be listed as additional insured on the policy.**

*** OTHER PERMITS** - I understand that some events may require obtaining additional approvals/permits through other City Departments.









*** DAMAGE TO PROPERTY** - I understand that permit-holders will be held responsible for any loss or damages that may occur during the event.

*** OTHER FEES** - I understand that other fees may be assessed depending on the location of the event.

*** SIGNATURE** *(Please enter your full name and then select SUBMIT)*

Upon completion of this application you will receive a confirmation email of receipt.

Online City Services

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<p>Building Permit Applications</p> 	<p>Register for Recreation Programs</p> 

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Emergency Contact Info



Police & Fire, Water, Electric, Red Cross, Jackson County Health, Recology Ashland Sanitary ...

Fire Danger



Let Us Know

Name

Phone or Email

Question or Comment

I'm not a robot reCAPTCHA

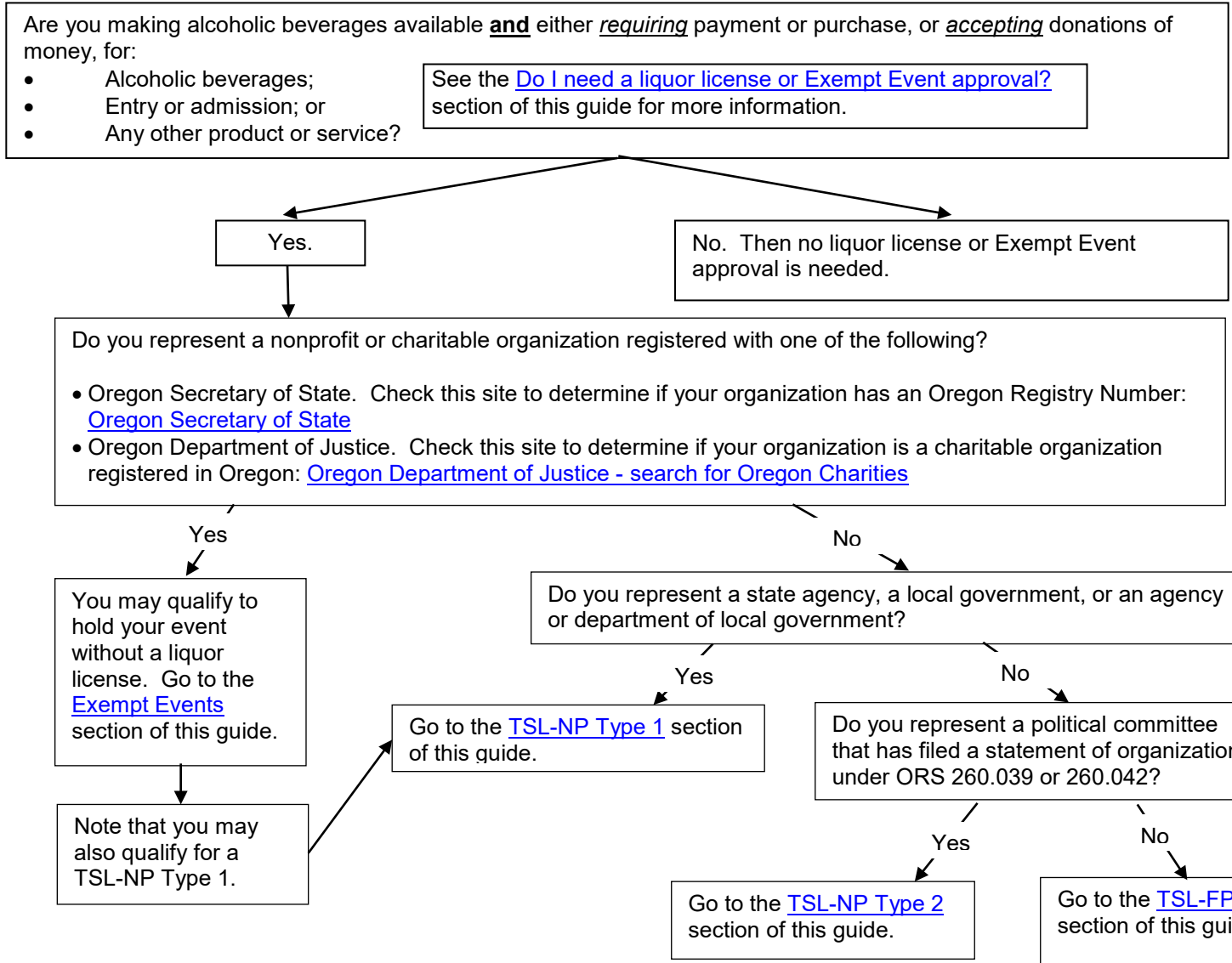
Submit



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

This guide is generally intended for parties that *do not hold an annual liquor license*. Each annual liquor license has an option for a special event license that allows the annual licensee to take the privileges of the annual license to another location. This guide is for those who need a temporary sales license (for-profit or nonprofit) or qualify for an exemption to the need for a special event license.

I'm holding a special event that will include alcoholic beverages. Do I need a liquor license?





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Do I need a liquor license or an Exempt Event approval?

Examples of when a liquor license or Exempt Event approval *IS NEEDED*

1. Sealed containers of malt beverage, wine, or cider.
 - Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with one or more manufactured-sealed containers of malt beverages, wine, or cider.¹ Because individual #2 or the organization is directly accepting money and providing the alcoholic beverage, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.
 - Example: A "Wine Wall." Individual #1 buys something (ticket, cork, etc.) from individual #2 or an organization and in return individual #1 is allowed to select a sealed container of malt beverage, wine, or cider² meant for drinking outside of the special event area. This is not an auction or a raffle, but it is selling alcoholic beverages; and therefore, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.
2. Service of open containers of alcohol (drinks) for consumption at a premises that DOES NOT have an OLCC liquor license.
 - Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with an open container of alcoholic beverage meant for consumption on the premises. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because individual #2 or the organization is directly accepting money and providing the alcoholic beverages, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.
 - Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverages at no additional cost to individual #1. Because individual #2 or the organization is directly accepting money and providing the alcoholic beverages, individual #2 or the organization **does need** a liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.
3. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an OLCC liquor license but it's individual #2 or the organization that accepts payment from individual #1 and also directly provides (serves) the alcohol to individual #1.
 - Example: Individual #1 provides payment directly to individual #2 or an organization and in return individual #2 or the organization provides individual #1 with an open container of alcoholic beverage meant for consumption. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because individual #2 or the organization is directly accepting money and providing the alcoholic beverage to individual #1, individual #2 or the organization **does need** a

¹ For the purposes of this guide, distilled liquor may only be sold in factory-sealed containers by a registered nonprofit or charitable organization under an Exempt Event approval. For more information, see the Exempt Events section of this guide.

² See note above.



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liquor license unless the organization qualifies for an Exempt Event approval. See the Exempt Events section of this guide for more information.

Examples of when a temporary sales license or Exempt Event approval *IS NOT NEEDED*

1. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an annual OLCC liquor license and all alcoholic beverages are provided and served by the OLCC liquor licensee – not the party conducting the event (note that the OLCC licensee is allowed to serve only the type of alcoholic beverages allowed by the license).
 - Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverage at no additional cost (cost of ticket is the same, regardless of whether person selects alcoholic beverage or non-alcoholic beverage) to individual #1; however, *individual #2 or the organization passes all the money collected from ticket sales to an OLCC licensee* for both the alcoholic beverage and to serve it. Because the OLCC liquor licensee is providing and serving the alcoholic beverage, individual #2 or the organization **does not need** an OLCC liquor license or Exempt Event approval for this activity. NOTE: if individual #2 or the organization is providing alcoholic beverage to individual #1 the individual #2 or the organization will need a temporary sales license or Exempt Event approval.
2. Service of open containers of alcohol (drinks) for consumption at an event where the premises DOES have an OLCC liquor license and some or all of the alcoholic beverages are provided by individual #2 or the organization to the OLCC liquor licensee; however, all of the alcohol is served by the OLCC liquor licensee (note that the OLCC licensee is allowed to serve only the type of alcoholic beverage allowed by the license).
 - Example: Individual #1 buys a ticket from individual #2 or an organization or individual #2 or the organization requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcoholic beverage at no additional cost to individual #1. Provided *individual #2 or the organization directly obtains the alcoholic beverage and then provides it to the OLCC licensee, and the OLCC liquor licensee is serving the alcoholic beverage*, individual #2 or the organization **does not need** an OLCC liquor license or Exempt Event approval for this activity. Note that the OLCC licensee may not keep any left-over alcoholic beverage that was provided by individual #2 or the organization (the alcoholic beverage must be removed by individual #2 or the organization or discarded).
3. You, or an organization you represent, are making alcohol available, but there is no payment or purchase required, and no donations of money are accepted, for alcoholic beverage, or for entry/admission, or for any other product or service, then a liquor license is not needed. An example is a wedding reception or art gallery reception where you make alcoholic beverages available, but you don't require payment or purchase and don't accept donations of money.
4. You are not the person making alcoholic beverages available but you are providing goods or services at an event or in an area where another individual or organization has a liquor license.



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Exempt Events

An Oregon registered nonprofit or charitable organization is eligible to conduct events where alcohol is made available (including an auction or raffle) for up to 45 days in a calendar year without a special event license. However, each day of the Exempt Event must be approved by the OLCC.

What is the Exempt Event approval request process?

- A nonprofit or charitable organization must receive *prior* OLCC approval for each event date.
- Complete the [Nonprofit & Charitable Organization Exempt Event Request form](#).
- To avoid a delay in processing your Exempt Event request and to increase the likelihood that the OLCC will be able to approve your Exempt Event in time for your event, please submit the Exempt Event Request form to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: [OLCC offices & the counties they serve](#). If your event includes addresses served by different OLCC regional offices, submit the form to the office serving the address you listed on the Exempt Event Request form (do not submit the form to multiple OLCC offices).
- OLCC needs your completed application in sufficient time to approve it. Submit the Exempt Event Request form to your OLCC office at least two weeks before the date(s) of an event.
- If you plan to allow on-site consumption of alcohol and the planned attendance at any location or address for an Exempt Event will be 501 or more on a given event date, you will be required to submit a site plan drawing and Exempt Event Operational Plan for each location or address meeting those criteria.

How many Exempt Event days may I request and must the event days be consecutive?

Registered nonprofit and charitable organizations may conduct Exempt Events for up to 45 days in a calendar year. The OLCC will track the number of days used by the nonprofit or charitable organization during a calendar year.

The event days are not required to be consecutive.

Registered nonprofit and charitable organizations may not receive approval for more than 45 days in a calendar year.

If a registered nonprofit or charitable organization does not use all 45 days in a calendar year, the unused days may not carryover to the next calendar year.

What is a “day?”

A “day” is from 7:00 am to 2:30 am on the succeeding calendar day.

May an Exempt Event be held at multiple addresses in Oregon on the same day?

Yes, an Exempt Event may be held at multiple addresses on the same day. If this is the case, an “event day” covers all addresses for that day (and would be one event day, even though it covers multiple addresses).

Is there an OLCC fee for an Exempt Event?

No.

However, please consult with the local city or county for any Exempt Event address prior to submitting the application to the OLCC in order to comply with local regulations and requirements, which may include payment of a fee to the city or county.

What may a nonprofit or charitable organization sell with an Exempt Event approval?



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- Malt beverages, wine, cider, distilled liquor, and donated homemade malt beverages, wine and fermented fruit juices by the drink for on-premises consumption.
- Malt beverages, wine, cider, and donated homemade malt beverages, wine and fermented fruit juices in factory-sealed containers or securely covered containers for off-premises consumption.
- **Up to a total of four liters per calendar year** of distilled liquor in factory-sealed containers for off-premises consumption. This four liter limit applies to the organization conducting the Exempt Event for the entirety of the calendar year, regardless of whether there are multiple events or recipients.

Is an auction or raffle of alcoholic beverages considered selling alcohol?

Yes, auctioning or raffling alcoholic beverages is considered selling alcohol.

A charitable organization conducting a raffle may also need a Raffle license from the Oregon Department of Justice. Check this site for more information: [Oregon Department of Justice - Raffle License](#)

A nonprofit or charitable organization with Exempt Event approval may conduct auctions or raffles on any and all approved Exempt Event days during the calendar year.

May a nonprofit or charitable organization deliver alcoholic beverages that are sold under an Exempt Event approval to a consumer?

Yes, a nonprofit or charitable organization may deliver or arrange for the delivery of alcoholic beverages sold for off-premises consumption as allowed under this privilege to a person in Oregon who is 21 years of age or older and not visibly intoxicated. The delivery of the alcoholic beverages must occur on an approved Exempt Event date.

To deliver to a person in another state requires checking with that state.

Must a nonprofit or charitable organization purchase the alcoholic beverages it sells?

No, a nonprofit or charitable organization is not required to purchase the alcoholic beverages it sells. A nonprofit or charitable organization may sell alcoholic beverages purchased by or donated to the organization. The alcoholic beverages may come from any source (manufacturer, wholesaler, retailer, or individual). However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or
- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license; or
- Be homemade malt beverage, wine, or cider donated by a person who manufactured it in Oregon as allowed by ORS 471.037.

May alcoholic beverages be delivered to a nonprofit or charitable organization with an Exempt Event approval?

Sender	What's Allowed?
When the sender is one of the following OLCC licensees: brewery, brewery-public house, grower sales privilege, winery, full on-premises, limited on-premises, or off-premises.	<ul style="list-style-type: none"> • For wine and cider: the licensees may deliver to the nonprofit or charitable organization, but must follow OAR 845-006-0392 (which has limits on such things as time and amount). • For malt beverages: the licensees may deliver to the nonprofit or charitable organization, but must follow OAR 845-006-0396 (which has limits on such things as time and amount).
When the sender is one of the following OLCC licensees:	These licensees may not deliver to the nonprofit or



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wholesale malt beverage and wine or warehouse.	charitable organization.
Oregon distillery licensee	This licensee may deliver to the nonprofit or charitable organization, but must follow limits on such things as time and amount.
Oregon liquor store	May not deliver to the nonprofit or charitable organization.
Manufacturer or wholesaler of alcoholic beverages located outside of Oregon	<ul style="list-style-type: none"> • May not deliver direct to a nonprofit or charitable organization. • However, if the alcoholic beverage comes into Oregon either through the OLCC or an OLCC license that allows importation of the type of alcoholic beverage, then delivery to the nonprofit or charitable organization may be allowed if allowed by the license type of the sending party.
Retail licensee located outside of Oregon	May not deliver to the nonprofit or charitable organization.
Personal consumer (individual without an OLCC license) located inside of Oregon	Delivery may be allowed to the nonprofit or charitable organization, provided the alcoholic beverage was manufactured in, or imported into, Oregon as described above.
Personal consumer (individual without an OLCC license) located outside of Oregon	May not deliver to the nonprofit or charitable organization.

May a nonprofit or charitable organization conducting an Exempt Event take possession of alcoholic beverages at a location in Oregon with an OLCC license or an Oregon liquor store?

Location in Oregon	What's Allowed?
When the location is one of the following OLCC licenses: brewery, brewery-public house, distillery, grower sales privilege, winery, full on-premises, limited on-premises, or off-premises	May take possession. There are no OLCC limits on volume or amount.
When the location is a wholesale malt beverage and wine license.	May take possession, however: <ul style="list-style-type: none"> • Wine and cider must be at least four gallons per purchase and no more than 55 gallons daily. • Malt beverage sales must be at least four gallons per purchase and not more than 9% alcohol by volume (ABV).
When the location is a warehouse license.	May not take possession.
When the location is an Oregon liquor store.	May take possession. There are no OLCC limits on volume or amount.

Is a nonprofit or charitable organization conducting an Exempt Event required to use individuals with an OLCC-issued service permit to serve alcoholic beverages?

No. However, it is a Class A misdemeanor to serve alcohol to minors or visibly intoxicated persons in Oregon. Individuals who will be serving alcohol at an Exempt Event are encouraged to review the OLCC's [What Every Volunteer Alcohol Server Needs to Know](#) brochure prior to an event where alcohol service will occur.

Best practices for conducting Exempt Events

Many of the OLCC requirements that apply to individuals and organizations conducting special events under a special event license do not apply to nonprofit and charitable organizations conducting special events under an Exempt Event approval. However, many of the requirements in place for special event licenses are best practices that nonprofit and



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charitable organizations conducting Exempt Events are encouraged to implement when conducting their events. Those best practices include:

- Providing food service during the event at all times and in all areas where alcohol will be served. See the [What are the food requirements for a TSL?](#) section of this guide for suggested food service.
- Obtaining a liquor liability insurance policy for the event if offering on-premises alcohol service and attendance at the event is expected to be 301 or more.
- Encouraging individuals who do not hold a service permit and will serve alcohol to guests during the event to read the OLCC's [What Every Volunteer Alcohol Server Needs to Know](#) brochure prior to the event.
- Defining and managing the event within the boundaries for the Exempt Event area. For information about how to define and delineate the boundaries, see the [How do I identify the licensed area and the boundaries of the licensed area?](#) section of this guide.
 - **Note:** if the event will include on-site consumption of alcohol and the planned attendance at any one location is 501 or more, a site plan drawing will be required for each location meeting those criteria.

Conducting Exempt Events where on-site consumption of alcohol will be allowed and there will be 501 or more individuals in attendance on a given event date

In order to obtain approval from the OLCC for your Exempt Event, in addition to preparing and submitting the [Nonprofit & Charitable Organization Exempt Event Request form](#), for each address or location where there will be 501 or more individuals in attendance on a given event date you must:

- Submit a site plan drawing showing the boundaries of the Exempt Event area, and
- Complete an Exempt Event Operational Plan.

Exempt Event site plan drawing

A site plan drawing is required for *any address or location* where there will be 501 or more individuals. There is no template for the site plan drawing. However, the drawing should include:

- The street address (or approximate address if, for example, the event will occur in a section of a beach or a whole block of a city street)
- The approximate square footage for the Exempt Event area
- Whether the Exempt Event area is indoors or outdoors (note both, as applicable)
- If the area is outdoors, how the boundaries of the area will be demarcated (i.e. rope and stanchion, temporary fencing, etc.)
- If there are sections where minors will not be allowed, identify those areas
- Entrances/Exits

Exempt Event Operational Plan

The Exempt Event Operational Plan includes elements that will help you plan and prepare for large-scale events where on-site consumption of alcohol is allowed. These events can be challenging to manage from a public safety standpoint. Planning for staffing, training of staff, ID checking, assessing for signs of visible intoxication, identifying where minors will be allowed, managing people within the boundaries of the event area, and other control measures will, if followed through on, put the organization in a better position to run a successful and safe event.

If the organization will have multiple locations where there are at least 501 individuals expected on a given event date, the organization may submit one Exempt Event Operational Plan, provided the manner of operation for each location will be the same. If not, separate Exempt Event Operational Plans should be submitted to reflect the differences in operation.

In addition to the site plan and the Exempt Event Operational Plan requirements, organizations running these large scale events are strongly encouraged to follow all of the best practices outlined in the [Best practices for conducting Exempt Events](#) section of this guide.

Conducting Exempt Events on annually licensed premises



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Nonprofits and charitable organizations may conduct Exempt Events on annually licensed premises and the annual licensee may continue operating in the same space at the same time.

- Nonprofits and charitable organizations with Exempt Event approval may sell distilled liquor as allowed by the Exempt Event approval privileges even if the annual licensee's privileges do not allow for sale of distilled liquor. Note that the annual licensee may always choose not to allow the event to occur on its premises and may have good reason to do so, such as its own insurance policy restrictions.
- If the minor posting for a given area prohibits minors in the area, minors are also prohibited from being in that area during an Exempt Event.

Other important information

- Although local governing body approval is not required as a condition for OLCC approval of an Exempt Event application, nonprofits and charitable organizations are expected to connect with local agencies that have jurisdiction over the location or locations for the Exempt Events to make sure that requirements of these local governing agencies have been satisfied.
- An event may have multiple locations on a single event day. Only one address needs to be identified on the Exempt Event approval application form.³ However, as noted above, nonprofits and charitable organizations are expected to consult with local governing entities to confirm they are meeting any local requirements associated with conducting the event. Submit the Exempt Event approval application to the regional office serving the address you listed on the application.
- Raffle tickets may be sold prior to the drawing; however, the drawing may be held only on the day the raffle is held and the winner is determined.
- Raffle tickets for alcohol may not be sold or given to a minor because alcohol may not be delivered to the minor if the minor wins.
- Alcoholic beverages must not be provided, sold, or delivered to a minor or visibly intoxicated person.
- Because the Exempt Event has no OLCC license, manufacturers and wholesalers of alcoholic beverages are allowed to deliver alcoholic beverages to the Exempt Event only as previously described in this document.

Temporary Sales License – Nonprofit (TSL-NP) TYPE 1

You should apply for a special event license using the TSL-NP Type 1 application, if:

- You are a nonprofit or charitable organization registered in Oregon and you have exhausted all 45 Exempt Event days in the calendar year, as discussed above; or
- You represent a state agency, a local government, or an agency or department of local government within Oregon; and
- You will be selling alcohol, selling tickets or admission that includes alcohol, or collecting donations in exchange for alcohol.

What is the process for applying for a TSL-NP Type 1?

- Eligible organizations and governmental entities must receive *prior* OLCC approval for each event date.
- Complete the [TSL-NP Type 1 form](#).
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
 - If there is more than one event address on the application, *all the addresses for your event must be within the same local governing body jurisdiction*. If you cannot fit all addresses for the event in the space provided on the application, use the address supplemental page at the end of the application to list the addresses.

³ Any location where planned attendance is 501 or more an on-site consumption of alcohol will be allowed requires a site plan drawing (that includes the address) and an Exempt Event Operational Plan. These are separate from the application for approval, but are required in order to receive OLCC approval for such an event.



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: [OLCC offices & the counties they serve](#).
 - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
 - Submit the signed application form and the OLCC \$50 per day license fee (\$50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?

You may request up to 30 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a “day?”

A “day” is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. \$50 per day.

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits. The local government may charge a fee.

What can I do with the TSL-NP Type 1 license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased by or donated to the organization or governmental entity.

However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license

Note: Oregon law allows a manufacturer/wholesaler (supplier) of alcohol to donate or provide the following products and services to an organization or governmental entity holding a TSL-NP Type 1:

- Malt beverage, wine or cider that the supplier normally sells. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. Any of this alcoholic beverage manufactured in Oregon may be directly donated by the supplier. Any of this alcoholic beverage manufactured outside of Oregon is required to come into Oregon through an Oregon licensed wholesaler.
- Distilled liquor approved for sale Oregon. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. The manufacturer or its representative must obtain this alcoholic beverage through the OLCC.
- Credit or cash refund for unsold product.
- Services to support the product. This includes people with a valid Oregon service permit or people who have successfully completed an Oregon alcohol server education class in the last five years to sell or serve the alcohol product. Note that these people do not qualify for the service permit exemption described below.
- Interior/exterior display banners (no size limits).
- Provided the supplier and TSL licensee follow ORS 471.400, lease or furnish picnic pumps, cold plates, tub, refrigerated vans, refrigerated trailers, and refrigerated draft systems.
- If a supplier of alcoholic beverages is donating or providing any items or services to the event, then all parties must follow the requirements in OAR 845-013-0090.

See the [General information for operating under a temporary sales license \(TSL\)](#) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

Temporary Sales License-Nonprofit (TSL-NP) TYPE 2

You should apply for a special event license using the TSL-NP Type 2 application, if:

- You represent a political committee that has filed a statement of organization under ORS 260.039 or 260.042; and
- You will be selling alcohol, selling tickets or admission that includes alcohol, or collecting donations in exchange for alcohol.

What is the process for applying for a TSL-NP Type 2?

- Eligible organizations must receive *prior* OLCC approval for each event date.
- Complete the [TSL-NP Type 2](#) form.
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: [OLCC offices & the counties they serve](#).
 - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
 - Submit the signed application form and the OLCC \$50 per day license fee (\$50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?



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You may request up to 7 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a “day?”

A “day” is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. \$50 per day.

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city’s limits or the local county if the event address is outside the city’s limits. The local government may charge a fee.

What can I do with the TSL-NP Type 2 license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased by or donated to the organization.

However, all alcoholic beverages must:

- Have been imported into Oregon by the OLCC; or
- Have been manufactured in, or imported into, Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license

Note: Oregon law allows a manufacturer/wholesaler (supplier) of alcohol to donate or provide the following products and services to an organization or governmental entity holding a TSL-NP Type 2:

- Malt beverage, wine or cider that the supplier normally sells. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. Any of this alcoholic beverage manufactured in Oregon may be directly donated by the supplier. Any of this alcoholic beverage manufactured outside of Oregon is required to come into Oregon through an Oregon licensed wholesaler.
- Distilled liquor approved for sale Oregon. This alcoholic beverage may be provided for free, at a discounted price, or at the regular price. The manufacturer or its representative must obtain this alcoholic beverage through the OLCC.



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

- Credit or cash refund for unsold product.
- Services to support the product. This includes people with a valid Oregon service permit or people who have successfully completed an Oregon alcohol server education class in the last five years to sell or serve the alcohol product. Note that these people do not qualify for the service permit exemption described below.
- Interior/exterior display banners (no size limits).
- Provided the supplier and TSL licensee follow ORS 471.400, lease or furnish picnic pumps, cold plates, tub, refrigerated vans, refrigerated trailers, and refrigerated draft systems.
- If a supplier of alcoholic beverages is donating or providing any items or services to the event, then all parties must follow the requirements in OAR 845-013-0090.

See the [General information for operating under a temporary sales license \(TSL\)](#) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

Temporary Sales License-For Profit (TSL-FP)

You are eligible for a special event license using the TSL-FP application, if:

- You do not qualify for Exempt Event approval, a TSL-NP Type 1, or a TSL-NP Type 2 license;
- You do not manufacture alcoholic beverages (other than Brewery Public House licensees), do not import or cause to be imported into Oregon an alcoholic beverage for sale or distribution in Oregon, and do not hold a Wholesale Malt Beverage and Wine or Warehouse license in Oregon; and
- You will be selling alcohol or selling tickets or admission that includes alcohol.

What is the process for applying for a TSL-FP?

- Eligible individuals and businesses must receive *prior* OLCC approval for each event date.
- Complete the [TSL-FP](#) form.
- Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
- To avoid a delay in processing your special event license application and to increase the likelihood that the OLCC will be able to approve your application in time for your event, please submit your special event license application to the OLCC office serving the county in which your special event will happen. Find the OLCC office here: [OLCC offices & the counties they serve](#).
 - Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.
 - Submit the signed application form and the OLCC \$50 per day license fee (\$50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.

How many event days may I request on an application and must the event days be consecutive?

You may request up to 7 event days on an application and the days do not need to be consecutive. There is no limit on the number of TSL-NP Type 1 applications you may apply for in a calendar year.

What is a "day?"

A "day" is from 7:00 am to 2:30 am on the succeeding calendar day

Is there an OLCC fee?

Yes. \$50 per day.



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

Do I need approval from anyone other than OLCC for my event?

Yes. You must take your application to the local government where the event will take place. The local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits. The local government may charge a fee.

What can I do with the TSL-FP license?

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail factory-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled liquor.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Deliver malt beverages, wine or cider. Deliveries must occur during the period of the special event license.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

How may I obtain alcohol to sell at my event?

You may sell alcoholic beverages purchased from Oregon:

- Wholesale Malt Beverage and Wine licensees
- Winery licensees
- Growers Sales Privilege licensees
- Brewery Licensees
- Brewery-Public house licensees
- Oregon liquor stores

You may NOT accept donated product from any source, including manufacturer or wholesaler licensees.

See the [General information for operating under a temporary sales license \(TSL\)](#) section of this guide for more information about topics like food service, service permits, plans to manage, defining the premises boundaries, etc.

General information for operating under a temporary sales license (TSL)

What do I need to include as part of the temporary sales license area?

The OLCC will license the area where alcoholic beverages will be sold and consumed. The licensed area is also called the licensed premises.

The sale, service, and consumption of alcoholic beverages is allowed only within the licensed area. The only open container of alcoholic beverages allowed to leave the licensed area is malt beverage, wine, and cider in a securely covered container (growler).

Sometimes, you may have an event that has areas (like craft booths, food booths, music stages, amusement rides, etc.) where you don't want to allow the sale, service, and consumption of alcohol. For those events, the OLCC will license only the area where the alcohol will be sold or consumed.



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

As part of your application, you will be required to identify the licensed area and the boundaries of the licensed area.

How do I identify the licensed area and the boundaries of the licensed area?

As part of approving a TSL application, the OLCC is required to make sure that the licensed area and the boundaries of the licensed area are clearly defined.

Showing the licensed area and describing how the boundaries will be identified is usually not difficult when the licensed area is a building, room, or area with boundaries clearly defined by such things as a wall or fence.

For areas with no clearly defined boundaries, such as an outdoor licensed area, you must submit a drawing showing the licensed area(s) and describing how the boundaries of the licensed area(s) will be identified.

Boundaries of a licensed area

When some or all of the boundaries of the licensed area will not be permanent, and you or the OLCC will require the licensed area to be enclosed, you must use a barrier of sufficient height, sturdiness, and immovability that will allow people to enter and exit only through specific points. Examples are a fence, a double-fence (sometimes called a "moat system"), a wall, and a tent. A sufficient barrier will also help to prevent alcohol from leaving the licensed area.

Such a structure may be portable (set-up and take-down) but it should not be easily moveable after it is set-up. Low height and low sturdiness will tend to make the structure less reliable as a barrier (and may require you to use more people to monitor it to make sure that it is serving its purpose).

Must I submit a written plan showing how I will adequately manage a TSL licensed area?

With some events the OLCC will contact you and require you to submit a written plan showing how you will adequately manage the area(s) where alcohol will be sold or consumed to

1. Prevent problems and violations;
2. Prevent minors (a person under the age of 21) from obtaining alcohol and from gaining access to any portion of the licensed area prohibited to minors; and
3. Control alcohol consumption by adults.

May I prohibit minors from part or all of the licensed area?

Yes, you may prohibit minors from part of all of the licensed area.

When a licensed area is prohibited to minors (people under the age of 20), this means that all minors are prohibited from the licensed area unless any of the following exceptions apply:

- A minor vendor or contractor, who is other than the licensee's employee and who has a legitimate business purpose, may be in an area prohibited to minors, but only during the time it takes to perform the specific job function. Examples of this include a minor plumber making repairs and a minor vendor making a product delivery.
- A minor entertainer who qualifies under OAR 845-006-0335(6).
- If the licensee allows it, a minor patron may be in the immediate company of his/her spouse or domestic partner who is at least 21 years of age; however, the minor may not buy, possess, or drink alcoholic beverages.
- If your event has licensed areas prohibited to minors and licensed areas where minors are allowed, minor employees and minor service permittees working in the area where minors are allowed may enter the area prohibited to minors to perform specific job functions, but only during the time it takes to perform the specific job function. If your event has only a licensed area that is prohibited to minors, this exception will not apply to your event (this means minor employees and minor service permittees may not be in the area prohibited to minors). [Note: see the section later in this guide that addresses the age of service permittees.]



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

What are some ideas for preventing minor patrons from obtaining alcohol and from gaining access to any portion of the licensed area prohibited to minors?

For a licensed area prohibited to minors (also known as a “confined” area):

- Confine the sale, service, and consumption of alcohol to an area and then prohibit minors from entering that area and prohibit alcohol from leaving that area.

For a licensed area where minors are allowed and where adults will be allowed to walk around the entire licensed area while consuming alcohol:

- Limit the number of alcoholic drinks one person may have at one time.
- Limit the amount of alcohol in one drink.
- Don't sell containers holding large quantities of alcohol such as pitchers of beer, buckets of beer, carafes of wine, etc.
- Limit the time when the sale, service, and consumption of alcohol will be allowed.
- Prohibit minors from certain times.
- Have a level of lighting at all times sufficient to monitor patrons (for example, a level of lighting sufficient to read common newspaper print).
- Have a sufficient number of people at all times to adequately monitor patrons.
- Use machines to check ID.
- Have a method for identifying adults and minors (such as wristbands, hand-stamping, etc.).

Do security professionals need to be DPSST-certified?

The Oregon Department of Public Safety Standards and Training (DPSST) administers the certification/licensure of private security professionals in accordance with ORS 181.870-991. The private security industry is regulated to ensure that the interests of the public are adequately served and protected and to uphold the professionalism and integrity of the industry.

A person acting as a private security professional without DPSST certification may be criminally cited by the police.

A TSL licensee using a private security professional without DPSST certification may be sanctioned by the OLCC or the police.

A private security professional is an individual who performs, as the individual's primary responsibility, any one or combination of security services as described below. If these duties are performed for consideration, the individual must be certified by the DPSST:

- The observation and reporting of any unlawful activity.
- The prevention of theft or misappropriation of any goods, money or other items of value.
- The protection of individuals or property, including but not limited to proprietary information, from harm or misappropriation.
- The control of access to premises being protected.
- The taking of enforcement action by lawfully detaining persons or placing persons under citizen's arrest.
- Providing canine services for the purposes of guarding or detection.
- Taking enforcement action by detaining or placing persons under arrest as authorized by the person's employer as part of the person's employment. ORS 133.225.

How does a person apply for a security professional certification or license?



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

An applicant must complete an application packet, attend required training, and submit forms and fees to DPSST for processing. Applications are available from the DPSST Private Security Unit via:

- The DPSST website: [DPSST](#)
- Phone at 503-378-8531

The application packet includes an application and two fingerprint cards. Training can be obtained from certified Private Security Instructors. Upon request to DPSST, a list of instructors will be sent to you.

What are the OLCC Service Permit requirements for a TSL?

When the holder of the TSL is a nonprofit or charitable organization registered in Oregon as described above:

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
 - A valid Oregon service permit; or
 - Passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
 - A valid Oregon service permit; or
 - Passed an Oregon alcohol server education course within five years prior to the date of the event; or
 - Attended a training provided by the organization and have read, signed, and dated the OLCC brochure What Every Volunteer Alcohol Server Needs to Know. (This form is available on the OLCC web site.)

When the holder of the TSL is a political committee that has filed a statement of organization under ORS 260.039 or 260.042, an agency of the State, or a local government or an agency or department of a local government:

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
 - A valid Oregon service permit; or
 - Passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
 - A valid Oregon service permit; or
 - Under limited circumstances the OLCC may be able to approve an exception.

When the holder of the TSL is **OTHER THAN** a nonprofit or charitable organization registered in Oregon, a political committee that has filed a statement of organization under ORS 260.039 or 260.042, an agency of the State, or a local government or an agency or department of a local government:

- The person selling or serving the alcohol must have:
 - A valid Oregon service permit; or
 - Under limited circumstances the OLCC may be able to approve an exception.

What is the minimum age of an alcohol server?

Generally, alcohol servers must be at least 21 years of age.

However, when your event has licensed areas prohibited to minors and licensed areas where minors are allowed, the following two exceptions apply (if your event has only a licensed area that is prohibited to minors then the following exceptions will not apply; therefore, minor employees and minor service permittees may not be in the area prohibited to minors):



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

- In areas not prohibited to minors, alcohol servers who are 18, 19, and 20 years of age may take orders for and serve alcohol in conjunction with food service and sell tokens or scrip to be redeemed for alcohol.
- In areas prohibited to minors:
 - Alcohol servers who are 18, 19, and 20 years of age may order and pick up drinks (but **not** mix or pour drinks) for service in the area(s) where minors are allowed; and
 - Any person who is 18, 19, or 20 years of age may perform non-alcohol related duties, such as: restock non-alcohol supplies; set and clear tables; and deliver food orders (but **not** take food orders). However, these people shall not remain in the prohibited area longer than is necessary to perform these duties.

What are the food requirements for a TSL?

What Amount Of Food Must I Provide?

- **ONE SUBSTANTIAL FOOD ITEM:** The OLCC must determine that the clearly dominant emphasis is food service at all times and in all areas where alcohol service is available in order for you to provide only one substantial food item. The OLCC will work with you to make this determination prior to approving your application.
- **TWO SUBSTANTIAL FOOD ITEMS:** If the clearly dominant emphasis is **not** food service and you **don't** provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least two different substantial food items.
- **THREE SUBSTANTIAL FOOD ITEMS:** If the clearly dominant emphasis is **not** food service and you provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least three different substantial food items.

What Is A Substantial Food Item?

This is a food item that is typically served as a main course or entrée. Some examples are fish, steak, chicken, pasta, pizza, and sandwiches. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers do not qualify as substantial food items.

What Does "Different" Mean?

"Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. For example, a turkey sandwich differs from a salami sandwich, a beef burger differs from a turkey burger, and fried chicken differs from baked chicken. Different sizes of the same item are not considered different. The OLCC will work with you to make this determination prior to approving your application.

What Does It Mean To Provide Food Service "At All Times And In All Areas Where Alcohol Service Is Available"?

Patrons must be able to obtain food service inside the special event licensed area. You may use either of the following two methods to provide food service:

- Within all areas where alcohol service is available, have the minimum required food items available for patrons at all times; or
- Within all areas where alcohol service is available, have a menu of the minimum required food items (plus any other items you may choose to include) available for patrons at all times and be able to provide the food items in the area if a patron chooses to order food. The food items could be kept at a location other than the area where the alcohol is served; however, you must be able to provide the food items to the patron in the area where alcohol service is available.

Is providing tastings of alcohol considered providing alcohol service?



SPECIAL EVENTS GUIDE FOR TSLs AND EXEMPT EVENTS

Yes, providing tastings of alcohol is considered providing alcohol service; therefore, the food requirements must be met.

May I Use Food Provided By A Contractor Or Contractors To Meet The Food Requirement?

Yes, the food service may be provided by someone other than you; however, even if food service is provided by a contractor, you are fully responsible for compliance with the food requirements. You may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

Who May The Contract For The Food Service Be With?

The contract may be between:

- You (the TSL licensee) and the food service contractor; or
- The organizer of the event and the food service contractor.

Does The Food Service Contract Need To Be In Writing?

No, the food service contract does not need to be in writing; however, you may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

DRAFT Alcohol Use in Parks Supplementary Application

NOTE: This application must be submitted in conjunction with an APRC Special Events Permit and requires proof of an OLCC permit. All events are subject to the Rules for Alcohol Use in Parks

- 1. Which Park will be used for the event? Please be sure to specify exactly where your event will be held in the selected park.**
(If you have filled out an OLCC “Plan to manage a special event” please attach it to this form.
https://www.oregon.gov/olcc/docs/liquor_license_and_license_process/tsl_plan_to_manage_special_events.pdf)
- 2. What will be the start and end time of alcohol service? _____ to _____.**
- 3. Describe where alcohol service (Beer/Wine Garden) will be located. Please attach a map that clearly delineates the proposed area.**
- 4. Please describe the barriers used to cordon off the area for the alcohol service and include a site plan with exact location of the service and the event. *For outdoor alcohol service OLCC requires: “a barrier that is of sufficient height, sturdiness, and is not movable. The barrier should allow people to enter and exit only through specific points and prevent alcohol from leaving the area. Two examples of a barrier are a fence and a “moat” system. Such a barrier can be portable (set-up and take-down) but it should not be easily moveable after it is set-up.***
- 5. Detail your Security Plan below. If you are using a private security company, provide the name of the company and describe the services they will provide.**

ASHLAND PARKS & RECREATION COMMISSION

340 S PIONEER STREET • ASHLAND, OREGON 97520

COMMISSIONERS:

Rick Landt
Leslie Eldridge
Jim Lewis
Jim Bachman
Justin Adams



Michael A. Black, AICP
Director

541.488.5340
AshlandParksandRec.org
parksinfo@ashland.or.us

FINAL DRAFT

APRC Rules for Alcohol Use in Parks

1. The Sale and consumption of malt beverages, wine, and hard cider by the drink for consumption is allowed in a controlled setting, with licensed service (OLCC Permit) within the parks system by a special permit.
2. Only events where an OLCC permit (Licensed Service) is required will be allowed.
 - a. **Licensed Service** is defined as:
 - (1) An event where malt beverages, wine or hard cider will be sold
 - (2) An event where alcohol is available (but not being sold), and the event host is charging or accepting donations of goods for admission, or where payment is required to attend the event.
3. If the applicant fails to obtain an OLCC permit, this permit will be null and void.
4. A copy of the OLCC permit must be presented to APRC staff prior to the permit being issued.
 - a. *All OLCC forms can be found here:*
https://www.oregon.gov/olcc/lic/Pages/license_form_publications.aspx
5. Applicants must be at least 25 years of age.
6. Special Event and (2) alcohol use applications and a 3) detailed site plan is due at least 60 days prior to the event; no exceptions. We strongly encourage event organizers to begin planning with APRC at least 180 days prior to the event to ensure all requirements are met.
7. All sales and consumption must be within an enclosure as defined by the OLCC and detailed on the APRC Alcohol Use Application.
8. General Liability Insurance is required to consume alcohol on City of Ashland property. If alcohol is being served at an event Liquor Liability Insurance is required as well. Both certificates of insurance (COI) are required in the amount of \$2,000,000 per occurrence and must name City of Ashland as additionally insured.
9. Permit is only valid for the identified purpose and date.
10. Event organizers are required to provide a zero-waste event. All glass containers must be kept within control of the OLCC licensed server.
11. Permit will not be issued for event hours prior to 11am or later than 9pm in conjunction with the established noise ordinance AMC 9.08.170.
12. Permits are issued on a first-come, first-served basis and are dependent on availability of park areas and conflicts with other uses.
13. Preferred locations for special events are Lithia Park Band Shell, Ashland Japanese Garden, North Mountain Park Pavilion and Oak Knoll Golf Course. Other proposed venues shall be reviewed by the Director or designee on a case-by-case basis for appropriate use.

14. The Ashland Parks and Recreation Director or designee shall, in collaboration with Ashland Police and Legal Departments, determine security requirements for events on a case-by-case basis. This includes the approval of private security companies, when necessary.
15. Payment of established fees and charges are required, as provided in the Miscellaneous Fees and Charges Document adopted by the City Council.
16. Fees will be refunded minus administrative costs incurred if the event is not approved.
17. The event is confirmed when all the following have been received and approved by APRC staff within the established timelines and requirements. Those include:
 - The APRC Special Event Permit
 - The APRC Alcohol Use Application
 - General Liability Insurance and Liquor Liability Insurance certificates that name the City of Ashland as additional insureds.
 - Proof of OLCC Permit approval.
 - Permit fee payments in full have been received by APRC.

ORDINANCE NO. 3227

AN ORDINANCE AMENDING SECTION 10.68 OF THE ASHLAND MUNICIPAL CODE: INTOXICATING LIQUOR PROHIBITED

Annotated to show deletions and additions to the Ashland Municipal Code sections being modified. Deletions are ~~bold lined through~~, and additions are **bold underlined**.

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

10.68.090 ~~Intoxicating Liquor Prohibited~~ Alcohol Use in Parks

It is unlawful for any person to take any intoxicating liquor or beverage into any portion of the public parks of the City, except **that as authorized by the Ashland Parks and Recreation Director or designee, consistent with established parks rules and regulations.**

~~A. Intoxicating liquor or beverages may be transported through the Lithia Park extension area which is located between North Main Street and Winburn Way and between Ashland Creek to the west and the Plaza to the east.~~

~~B. This section and the prohibitions on the possession and use of intoxicating liquor shall not apply to that portion of the park that is leased to the Oregon Shakespeare Festival Association.~~

~~C. This section and the prohibitions on the provision and use of intoxicating liquor shall not apply to the park property commonly known as Calle Guanajuato only when such is served with prepared meals and with the express approval of the Ashland Park and Recreation Commission and the Oregon Liquor Control Commission.~~

~~D. This section and the prohibitions on the provision and use of intoxicating liquor shall not apply to the park property commonly known as Oak Knoll Golf Course only when such is served as part of the City Golf Course operation or approved concession with the approval of the Ashland Park and Recreation Commission and the Oregon Liquor Control Commission.~~

~~E. Any person who violates any provision of this Chapter is subject to Section 1.08.0230 of the Ashland Municipal Code. Any violation of this section is a Class II violation. (Ord. 3137, amended, 2017; Ord. 3026, amended, 08/03/2010)~~ **Any violation of this section is a Class II violation subject to the penalties and procedures in AMC 1.08.030.**

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

Dana Smith, Clerk of the Council Pro Tem

SIGNED and APPROVED this _____ day of _____, 2023.

Tonya Graham, Mayor

Reviewed as to form:

Douglas M. McGeary, Acting City Attorney