It is the policy of the City of Westminster to permit the dispensing and/or consumption of alcohol on public property in limited circumstances that do not impair public interests. Those wishing to host an event on City property (streets, sidewalks, parks etc…) involving the sale or consumption of alcoholic beverages are required to obtain a City of Westminster **Alcohol Use Permit.** For most events there is no fee for the permit. Those wishing to apply for an Alcohol Use Permit must:

- Complete an **"Alcohol Use Permit Application"**. Please ensure that you provide reliable contact information so that City representatives may contact you to discuss the details of your proposed event.

- Provide any additional documents required (I.E. copy of Carroll County Liquor License, map of proposed event site, City of Westminster "Waiver, Release and Indemnification Agreement", Certificate of Insurance, etc…).

- Submit the required documents to the City Clerk no less than **forty-five (45) days** prior to the proposed date of the event. Completed applications may be emailed to svisocsky@westgov.com or delivered to:

Office of the City Clerk
Shannon Visocsky
City of Westminster
56 West Main Street, Ste 1
Westminster MD 21157

Individuals with questions relating to Alcohol Use Permits may contact **City Clerk Shannon Visocsky** by calling (410) 848-4938 during business hours or via email at svisocsky@westgov.com.

Subject: **ALCOHOL USE PERMIT POLICY**

Effective Date: **August 13, 2012**

This policy contains the following numbered sections:

I. POLICY
II. PROCEDURES
III. PERMIT CONDITIONS
IV. CANCELLATION OF PERMIT
V. APPEAL PROCESS

I. POLICY

It is the policy of the City of Westminster to permit the dispensing and/or consumption of alcohol on public property in limited circumstances that do not impair the public interests. All such permits will be issued by the City Clerk in accordance with the terms of this policy. Except for distribution and consumption of alcohol by invitees of the Carroll Arts Center as authorized by State law and Chapter 106 of the City Code and in accordance with the terms of a license issued by the Carroll County Board of License Commissioners, no alcoholic beverages may be distributed, possessed or consumed on City property except pursuant to an Alcohol Use Permit issued pursuant to this policy.

II. PROCEDURES

A. All applicants for an Alcohol Use Permit must apply in writing on the form prescribed by the City of Westminster and submitted to the City Clerk **no less than forty-five (45) days prior** to the proposed date of the event.

B. No Alcohol Use Permit issued pursuant to this policy will be valid unless the applicant has obtained the appropriate liquor or caterer's license issued by the Carroll County Board of License Commissioners (Liquor Board). Applicants must provide a copy of the required County liquor license at the time of their application for a City Alcohol Use Permit.

C. The issuance of an Alcohol Use Permit does not negate the requirement for other permits as required by City Code. Applicants must also obtain the following permits where appropriate to the circumstances of their event:

1. Parade/Demonstration Permit
2. Park and Facilities Rental Permit
3. Athletic Field Rental Permit
4. Park and Facilities Special Use Permit

D. All applications for an Alcohol Use Permit will be reviewed by the Chief of Police and the Director of Recreation and Parks for their consideration and the development of appropriate plans to effectively monitor or manage the proposed event. The Chief/Director will submit their recommendations and/or plans to the City Clerk for

consideration and potential adoption as part of the permit approval process.

E. A copy of the Alcohol Use Permit and the County Liquor License must be posted in a conspicuous location at the event site for the duration of the event.

F. Applicants for an Alcohol Use Permit may be required to provide a security deposit to cover unanticipated costs associated with the event such as damage to city property or clean up expenses. The amount of the security deposit will be determined based upon the size and complexity of the event.

G. Depending upon the size, nature and location of the event, the City may require a security deposit prior to the issuance of an Alcohol Use Permit.

H. Every permit recipient must agree to indemnify and hold the City harmless from any liability for personal injury or property damage arising out of or in connection with the event that is the subject of the permit, together with a certificate of insurance in the covering such liability as follows:

1. $1,000,000 for commercial entities (whether for profit or not-for-profit), if 150 or more people may reasonably be expected to attend the event;

2. $500,000 for (a) commercial entities (whether for profit or not for profit), if between 75-150 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if more than 100 people have been invited;

3. $250,000 for (a) commercial entities (whether for profit or not for profit) if fewer than 75 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if fewer than 100 people have been invited.

III. PERMIT CONDITIONS

A. All Alcohol Use Permits are subject to any additional conditions imposed by the City as it deems necessary to protect the public health, safety and welfare. These conditions will be specified in writing on the reverse side of the approved Alcohol Use Permit. Compliance with all conditions is mandatory.

B. The conditions will provide specific instructions to the applicant regarding requirements for the event including:

1. Facility requirements (i.e., the size and configuration of the venue where alcohol is permitted, fencing requirements etc...).

2. Staffing requirements (i.e., trained staff to check ID's, management/supervisory staff on-site etc...).

3. The type and amount of alcohol that may be provided pursuant to the license (i.e., beer and wine only, only one beverage per patron etc...).

4. Security requirements for the event (i.e., police or private security requirements).

5. Notice requirements (.i.e., providing advance notice to residents living in proximity to the event).

IV. CANCELLATION OF PERMIT

Failure to comply with any requirements of this policy may result in the immediate cancellation of the Alcohol Use Permit.

V. APPEAL PROCESS

A. Applicants wishing to appeal (1) the denial of an Alcohol Use Permit or (2) any of the conditions of a permit issued by the City Clerk may file a written appeal with the City Clerk.

B. Said appeals will be heard by the Common Council at their next scheduled meeting. Any person wishing to be made a party of record, either in support of or in opposition to the issuance of the permit, may appear and state his or her position or may submit a statement in writing to the City Clerk at any time prior to the adjournment of the public hearing.

C. The Common Council will issue a written decision no later than the next regular meeting following the hearing. A copy of the decision will be mailed to the applicant and to all parties of record, by regular first-class U.S. mail, promptly following the meeting at which the decision is approved.

D. A written decision of the Common Council will be final as of the date of the meeting at which it is approved for purposes of any action seeking judicial review.

AUTHORITY:

David Deutsch

David Deutsch
Interim City Administrator

ALCOHOL USE PERMIT WAIVER, RELEASE AND INDEMNIFICATION AGREEMENT

I, the undersigned, on behalf of _____ [name of Alcohol Use Permit recipient] ("the Permittee") agree that, in consideration of the issuance of Alcohol Use Permit No. _____ by the Mayor and Common Council of Westminster ("the City"), allowing Permittee to exercise the rights granted under Liquor License No. _____ ("the Liquor License"), dated _____, 201__, issued by the Carroll County Board of License Commissioners, on City-owned property during an event at _____ on _____, 201__, (hereinafter, "the Event"), the City, and its servants, agents, employees and officials, shall not be liable to the Permittee for any claims, demands, damages, actions, or causes of action for injury to any person or property arising out of or in connection with the conduct of the Event or the condition of the property upon which it is conducted.

The Permittee expressly waives, releases and discharges the City, and its officials, employees, servants, and agents, from all claims, demands, liabilities, damages, actions, or causes of action, for injury to any person or property caused in any manner, arising out of or in connection with the conduct of the Event or the condition of the property upon which it is conducted.

The Permittee further agrees that it will indemnify and hold the City, and its servants, agents, employees and officials, harmless from and against any and all claims, demands, liabilities, injuries, damages, loss, expense, actions, or causes of action, that any of them may incur, including attorneys' fees, for property damage or personal injury sustained or allegedly sustained by any person or entity arising out of or in connection with the conduct of the Event or the condition of the property upon which it is conducted, whether caused by the actions of the Permittee or the Licensee, or their respective officers, employees, agents, guests or invitees, including by members of the general public who are present on City property as a consequence of or in connection with the Event, whether expressly and individually invited, or not.

The Permittee agrees to provide a certificate of insurance providing coverage intended to satisfy the obligations undertaken herein as set forth below and acknowledges that the provision of said insurance certificate is a condition of the validity of the Permit:

a. $1,000,000 for commercial entities (whether for profit or not-for-profit), if 150 or more people may reasonably be expected to attend the event;

b. $500,000 for (a) commercial entities (whether for profit or not for profit), if between 75-150 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if more than 100 people have been invited;

c. $250,000 for (a) commercial entities (whether for profit or not for profit) if fewer than 75 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if fewer than 100 people have been invited.

I personally warrant and represent that I am duly and properly authorized by the Permittee to make the representations contained herein and to enter into the agreements and obligations contained herein.

[INSERT FULL CORPORATE NAME OF PERMITTEE]

_____ _____

Date [insert name and title]

CITY OF WESTMINSTER

56 West Main Street, Ste 1
Westminster, MD 21157

ALCOHOL USE PERMIT APPLICATION

1. Applicant – name, address, telephone number and e-mail address:
   _____
   _____
   _____

2. Person in charge of event – name, address, and telephone number:
   _____
   _____
   _____

3. Corporation or organization hosting the event? Yes ☐ No ☐

4. If yes, name and address of corporation or organization:
   _____
   _____
   _____

5. Date of event: _____

6. Start and ending time of event: _____

7. Location of event (outdoor events require a site map clearly defining area where alcohol will be served/consumed): _____

8. Purpose/nature of event:_____
   _____
   _____

9. Estimated number of attendees: _____

10. Alcohol to be sold (or cost of alcohol included in ticket price)? Yes ☐ No ☐

11. Type of alcohol to be sold/consumed? Beer/Wine/Liquor (circle all that apply)

12. County Liquor License obtained? Yes ☐ No ☐ (attach a copy of the license)

13. Description of sound amplification, if any:

_____

_____

THE APPLICANT AGREES TO ABIDE BY ALL OF THE TERMS AND CONDITIONS OF ARTICLE 2, CHAPTER 106 OF THE CODE OF THE CITY OF WESTMINSTER AND ANY PERMIT ISSUED PURSUANT TO THAT CHAPTER.

THE FACTS SET FORTH IN THIS APPLICATION ARE TRUE AND CORRECT. ANY MATERIALLY FALSE STATEMENTS ARE GROUNDS FOR REVOCATION OF THE PERMIT.

_____ _____(SEAL)

Date Signature

***APPLICANT MUST SUBMIT THE FOLLOWING WITH THIS APPLICATION:**

1. **Alcohol Use Permit Application fee of $_____. Check should be payable to "City of Westminster".**

2. **A copy of the County Liquor License issued by the Carroll County Board of License Commissioners (if required).**

3. **If the event will be held in an outdoor venue or park, the Applicant must provide a site map of the proposed event depicting the locations were alcohol will be dispensed, sold or consumed.**

4. **A fully executed City of Westminster Indemnification and Waiver Agreement (see attachment).**

5. **A Certificate of Insurance for the proposed event consistent with the following guidance:**

   a. **$1,000,000 for commercial entities (whether for profit or not-for-profit), if 150 or more people may reasonably be expected to attend the event;**

   b. **$500,000 for (a) commercial entities (whether for profit or not for profit), if between 75-150 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if more than 100 people have been invited;**

   c. **$250,000 for (a) commercial entities (whether for profit or not for profit) if fewer than 75 people may reasonably be expected to attend the event or (b) individuals or groups for private (invitational) events if fewer than 100 people have been invited.**