



Alcohol Policy

Adopted: DCRP Advisory Board Adoption, May 10, 2021
Adopted: Davie County Board of Commissioners, June 7, 2021

Purpose

The purpose of this policy is to establish regulated guidelines related to the service, sale, and/or consumption of alcoholic beverages on Davie County Recreation and Parks-(herein referred to as "DCRP") premises.

Definitions

- A. Alcoholic Beverage: means any beverage containing an intoxicant or inebriant, including, but not limited to, fortified and unfortified malt beverages, wine, and cider products. Alcoholic Beverage does not include Liquor as defined in sub-paragraph D below.
- B. DCRP Facilities: include indoor and outdoor spaces, parks, recreation centers, stadiums, or premises.
- C. Intoxicated: means to become stupefied, stimulated, or excited by action of a chemical substance, such as drinking an alcoholic beverage and/or after consuming an alcoholic beverage registering at least a .08 on an ALCO-SENSOR test.
- D. Liquor: means an alcoholic beverage consisting of a distilled spirit other than fortified and unfortified malt beverages, wine, and cider products.
- E. Recreation and Parks Director: means the Director of the Davie County Recreation and Parks Department or the Director's designee(s).
- F. Renter(s): means the responsible individual(s), group, business, or organization renting or leasing DCRP facilities.
- G. Special Event Permit: means an agreement between the special event renter(s) and Davie County, which shall be in the form of a Davie County Recreation and Parks issued Special Event Application.

Objective

The Information included in this policy is intended as a general overview of "best practices" to serve and/or sale alcoholic beverages at community events offered by DCRP and/or renter(s) of DCRP facilities. All contents of this policy are provided strictly as a courtesy and in no way should be construed as the final authority with respect to laws, rules, ordinance, regulations or other guidance related to the possession, sales, service, use or other handling of alcoholic beverages. It is the sole responsibility of any user(s) of this policy to contact the appropriate legal or regulatory entities, whether state or local, for the most up-to-date and accurate information.

Policy

DCRP understands there are events and activities that take place where participants will find it desirable to both possess and responsibly consume alcoholic beverages. To

better help understand the requirements in place at DCRP facilities, the following policy is adopted herein:

Requirements:

- A. The possession and personal consumption of alcoholic beverages are prohibited at DCRP facilities except during events hosted by DCRP and/or any renter(s) who have an issued Special Event Permit by DCRP. All alcohol must remain in designated areas and be for personal consumption only. All individuals are prohibited from bringing any alcoholic beverage into the DCRP facilities for private consumption except where the individual has a valid issued Special Event Permit.
- B. The sale of alcoholic beverages at DCRP facilities are prohibited except during events hosted by DCRP and/or any renter(s) who have an issued Special Event Permit. All alcohol must remain in designated areas as pre-determined by DCRP, and be for personal consumption only.
- C. The possession, sale or personal consumption of liquor is strictly prohibited at DCRP facilities.
- D. The possession, sale, and personal consumption of alcoholic beverages must follow State Laws including, but not limited to, no consumption by persons under the age of 21, and no consumption outside the designated area(s) included within the limits of the reserved facility. Any individual(s), group, vendor(s), and/or organization found in violation of State Laws regarding the possession or consumption of alcohol with a minor shall be handled by proper Law Enforcement Agencies and may be subject, but not limited, to banishment of DCRP facilities.
- E. No alcoholic beverages can be present, sold, or consumed during organized youth events. Organized youth events do not include family gathering wherein youth are present but not the primarily reason for the event. Any such event where alcoholic beverages are present, sold, or consumed must have the prior approval of the Recreation and Parks Director or his/her Designee.
- F. Renter(s) who are issued a Special Event Permit to serve and/or sale alcoholic beverages at their event shall be solely responsible for providing uniformed law enforcement officers at designated area(s) where alcoholic beverages will be served and/or sold and at the entrances and exits to the event area(s).
- G. Alcoholic beverages present, sold, or consumed are restricted to the following designated areas at Davie County Community Park: a) amphitheater, b) civic green, c) meadow, d) west concession stand (excludes stadium track, field, seating), e) specific areas of parking lots as designated in the special event permit (excludes joint-use parking lots), and f) recreation center facilities.
- H. Renter(s) are not permitted to have alcoholic beverages present, sold, or consumed within 50 feet of playgrounds or aquatic areas.
- I. Glass containers of any kind (alcoholic or non-alcoholic) are prohibited.

Sale (Concession) of Alcoholic Beverages

- A. DCRP Facilities: To serve and/or sale alcoholic beverages during an event shall be limited to the designated area(s) within the event area(s) outlined in the Special Event Permit as part of the Alcohol Beverage Service Plan.

- B. Vendor(s): All service and/or sales of alcoholic beverages shall be conducted by a designated vendor(s) approved by DCRP; have a Certificate of Liability Insurance, State License to sale and/or serve alcoholic beverages, and all necessary permitting on file fourteen (14) days prior to the event.
- C. Beginning Sales and/or Service: The sale and/or service of alcoholic beverages shall only begin during approved event times as specified in the Special Event Permit.
- D. Cessation of Sales and/or Service: The sale and/or service of alcoholic beverages shall cease at least one (1) hour before the official end of the event as specified in the Special Event Permit.

Indemnification

Renter(s) permitted to serve, sale, and/or consume alcoholic beverages in accordance with an approved Special Event Permit during the event shall be required to indemnify and hold harmless the County, its officers, agents, employees and volunteers, from any and all claims for liability (including travel to and from) arising directly or indirectly from the serve, sale and/or consumption of alcoholic beverages during that event. The Certificate of Liability Insurance acceptable to the County shall be required to cover the indemnification obligation. DCRP reserve the right to deny any Special Event Application.

Insurance

An **entity** authorized to serve and/or sale alcoholic beverages at an event shall provide DCRP with a Certificate of Liability Insurance, including additional coverage to serve and/or sale alcoholic beverages at the event. General liability coverage per occurrence must be a minimum of \$2,000,000.00 and aggregate of \$4,000,000.00. The County of Davie, NC, shall be named as an additional loss-payee on said policy. Any additional insurance policy requirements over and beyond aforementioned limits will be determined by the County on a case-by-case basis. Proof of such insurance coverage shall be submitted at least fourteen (14) days prior to the date of the event to RecTeam@daviecountync.gov and approved by DCRP prior to issuance of a Special Event Permit.

Alcoholic Beverage Service Plan

The renter(s) shall provide DCRP, by the date specified in the Special Event Permit, with an Alcoholic Beverage Service Plan, which includes a map showing the designated service area(s) within the event area(s) and a list of dates and times alcoholic beverages will be served and/or sold. The Alcoholic Beverage Service Plan must include all of the following in order to be considered for a Special Event Permit.

- A. **Security:** The renter(s) shall require uniformed law enforcement officers monitor the entrances and exits of the designated service area(s) to ensure alcoholic beverages are not brought into or taken out of the event area(s). Law enforcement officers, vendor(s), and/or DCRP staff shall be authorized to prohibit the service and/or sale of alcoholic beverages to any person who appears intoxicated. Such person(s) may also be ordered by law enforcement officers, vendor(s), and/or DCRP staff to immediately leave the premises. Security requirements will be determined by law enforcement and will be based on the location, size and type of event.

- B. **Training:** Vendors issued a State of North Carolina license to serve and/or sale alcoholic beverages shall ensure staff are properly trained to serve and/or sale alcoholic beverages in accordance with the all present North Carolina laws and statutes.
- C. **Servers:** Vendor staff serving and/or selling alcoholic beverages shall not consume alcoholic beverages immediately before, during, or following the event. Any vendor staff violating this policy shall be immediately dismissed by DCRP Director or his/her designee and/or the renter(s) and immediately shall be ordered to leave the premises by law enforcement officers, vendor(s), and/or DCRP staff on duty. Vendor staff shall be responsible, at the time an alcoholic beverage is requested, for verifying the person making the request is of legal drinking age as required by law. If, for any reason, picture identification evidencing proof of legal drinking age cannot be provided upon request, alcoholic beverage service shall be denied. Vendor staff shall refuse to serve an alcoholic beverage to any person who appears intoxicated.
- D. **Signage:** Signs shall be posted at the event notifying the public that all persons must be of legal drinking age to purchase and/or consume alcoholic beverages at the event. Signs shall be posted notifying the public that the service of alcoholic beverages are limited to two (2) drinks per person per transaction, and that vendor staff reserve the right to refuse to serve any person who appears intoxicated. Designated service area(s) signage should state all possession and consumption must take place within the designated area(s) and no possession or consumption by an individual under the age of 21 is permitted.

REFERENCE: DCRP CODE OF ORDINANCES:

95.069 Alcohol; drugs.

It shall be unlawful for any person in any park or facility to:

- (1) Possess illegal drugs or be under the influence of illegal drugs or be disruptive by virtue of such use.
- (2) Possess and/or consume alcoholic beverages; except at and in accordance with the Department alcohol policy as approved by Recreation and Parks Director, Advisory Board, County Manager, Attorney, and Board of Commissioners.