

**City of South Haven**  
**Special Event & Festivals Alcohol Policy**

1. Purpose and Authority.

The City of South Haven is required to adopt this Special Event & Festivals Alcohol Policy pursuant to Section 42-29 of the South Haven Code of Ordinances. This Policy is intended to regulate the sale and consumption of alcoholic beverages in public places at designated times and locations. The City intends to offer this option to accommodate festival goers and planners. The sale and consumption of alcoholic beverages authorized pursuant to this Policy shall occur only in those publicly-owned places designated by resolution of City Council.

2. Application Procedure.

Persons wishing to serve alcohol at a community wide special event shall, in addition to the special event application, provide to the City Clerk certain information about the planned alcoholic beverage service. Applicants shall apply in writing to the City Clerk to authorize the sale and consumption in public of alcoholic beverages related to a community wide special event. This application shall be in addition to any and all applicable permits or procedures required by the Michigan Liquor Control Commission (the "LCC"). Applicants shall pay a \$25.00 application fee to cover the cost of administering this Policy. The City may also require a security deposit.

3. Service and Consumption of Alcoholic Beverages.

The City Council may by resolution approve a request for public sale and consumption of alcoholic beverages as defined in Section 42-29 of the South Haven Code of Ordinances provided the applicant satisfies the following conditions:

A. Service and consumption of alcoholic beverages may occur only in the [designated service area](#), and only to individuals 21 and older. The Applicant must provide the dimensions of the area for service and consumption, and provide a diagram of the area clearly showing where service and consumption of alcoholic beverages is to occur. The service area shall be secured and enclosed by either snow or chain-link fencing surrounding the area.

C. The Applicant shall not sell, offer to sell, or advertise the sale or service of an unlimited quantity of alcoholic beverages at a specific price (*e.g.* all-you-can-drink for \$20).

D. The entrance to, and exits from the service area shall be staffed with individuals over the age of 21 checking identification of persons entering the area. Staff members shall be appropriately trained in examining identification cards and identifying counterfeits. The Applicant shall provide to persons who have entered the service area a wristband or other clearly visible identification badge indicating that they are permitted access to the designated service area.

E. Alcoholic beverage service and consumption may occur only in the service area designated and approved by the City. Those designated areas shall be limited to only those areas designated by City Council resolution. At no time may an Applicant serve, or permit the consumption of alcoholic beverages in any area other than the designated service area. The Applicant shall not permit passage of alcoholic beverages to outside the designated service area.

F. All alcoholic beverages shall be served by professional bartenders or staff only. No self-serve alcoholic beverages shall be permitted. The Applicant shall provide to the City Clerk its vendor information including contact information for the persons in charge of providing service.

G. The Applicant shall, in its application, indicate measures it will take to differentiate between visitors legally able to purchase and consume alcoholic beverages and minors. The Applicant shall also indicate measures it will take to monitor over serving visitors and for the removal of unruly or obnoxious visitors. The City may require additional measures as needed.

H. The City may restrict the number of persons who are permitted in the designated area at any given time based on the size of the designated area, and the location in which the special event is held. It is the Applicant's sole responsibility to ensure compliance with any crowd limits or other restrictions.

I. The designated area may be open from noon to 11:00 p.m. The sale or service of alcoholic beverages shall be closed 30 minutes prior to closing the designated area.

J. The resolution approving the special event may limit the number and designate the locations for the sale and consumption of alcoholic beverages pursuant to this Policy.

4. Security.

The City shall not be primarily responsible for security, crowd management or control. The Applicant is responsible for providing adequate security for the event. Security must be a top priority. The City reserves the right to require additional police or traffic safety personnel to assist with event management. Attendees waiting to enter the designated service area shall be located in a designated exterior staging area sufficiently demarcated from the designated service area by stanchions or other barrier so as not to interfere with any rights-of-way or the entries or exits to the service area. The Applicant will actively monitor the queue area during its operations. In case of emergency, necessary law enforcement personnel shall be contacted by dialing 9-1-1.

5. Facilities.

The Applicant shall be responsible for keeping the designated service in a clean, safe and sanitary condition for visitors. The Applicant shall ensure that adequate restroom facilities are available nearby the designated service area. The Applicant shall provide at least one portable restroom for every 125 people, upon estimated attendance. The Applicant shall be solely responsible for ensuring adequate trash receptacles and/or recycling bins are available and keeping the area in a clean and slightly condition.

6. Utilities.

The Applicant shall be responsible for securing all utility connections as may be necessary. The Applicant is responsible for making all arrangements and paying all costs for power. If a portable generator will be used, the City reserves the right to inspect the generator to ensure its safety.

7. Set-Up and Take-Down.

The Applicant is responsible for notifying the City of anticipated set up and take-down times. The Applicant is solely responsible for all set-up, take-down and cleanup following an event. The City will not provide trash pickup or removal for the event. The Applicant is solely responsible for removing all garbage, litter and debris created by the event, and such removal shall occur immediately after the event is completed. The Applicant is responsible for refuse disposal. Any and all damage costs will be billed back to the Applicant, including, but not limited to litter and debris, damage to utilities, and turf or foliage damage. If the designated service area is left unkempt, the Applicant may be charged a cleaning/damage fee, forfeit the security deposit and may be banned from having an event in the future.

8. Other Considerations.

In addition to any condition or requirement specifically enumerated in this Policy, the City may consider the impact of service of alcoholic beverages at the event on the public health, welfare, and safety of the community; the size of the proposed event; the desired designated service area; the impact and/or costs of the service as they relate to the City's provision of services; the likelihood of attracting tourists; noise levels; road closures; and, vendors used. The City reserves the right to consider other information as it deems necessary in determining whether to grant the permit pursuant to this Policy.

9. Compliance with Laws.

The Applicant will comply with all applicable state and local laws, ordinances, rules and regulations, including any noise or nuisance ordinances. Applicants are solely responsible for obtaining all necessary permits and/or licenses to serve alcoholic beverages. Copies of all other permits or licenses shall be presented to the City Clerk with the application.

10. Indemnification and Insurance.

Applicants providing service of alcoholic beverages shall obtain and maintain insurance coverage in an amount reasonably acceptable to the City, but which shall not be less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate, naming the City as an endorsed additional insured. The City may require additional amounts as determined in consultation with the City's insurance provider and risk assessor. The Applicant shall hold the City (defined for purposes of this policy to include the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the City) against any demands, claims or causes of action arising from the service or consumption of alcoholic beverages approved pursuant to this policy, except for any damages caused by the City's negligence.

11. Miscellaneous.

A. The City reserves the right to change these policies at any time. It is the Applicant's responsibility to ensure that it is complying with the most recent policies adopted by the City.

B. Failure to comply with any term, condition or provision of this Policy may result in the confiscation of alcoholic beverages, prohibition of further use during the event, or possible forfeiture of any damage deposit required by the City.

C. An Application pursuant to this Policy does not guarantee the right to serve or consume alcoholic beverages in conjunction with a special event or festival. The City reserves the right to reject any request to permit the service and consumption of alcoholic beverages for any reason outlined in this Policy, or to request additional information not specifically enumerated in this policy.

D. To the extent this Policy conflicts with any other policy adopted by the City Council, the provisions of this Policy shall govern.

Adopted February 4, 2013