**R82. Alcoholic Beverage Services, Administration.**

**R82-9. Event Permits.**

**R82-9-101. Authority and Purpose.**

(1) Pursuant to Subsections 32B-2-202(1)(c)(i) and 32B-2-202(1)(n), and 32B-9-201(1), this rule establishes procedures and criteria for issuing and denying event permits in accordance with Title 32B, Chapter 9, Event Permit Act.

**R82-9-102. Definitions.**

(1) For purposes of Subsection 32B-9-303(2)(a), "Conducting" means managing, controlling, hosting, or directing an event. An applicant may be deemed to be conducting the event if there is a contract in which the applicant has been designated as the agent for the event's alcoholic beverage service.

**R82-9-201. Application Requirements.**

(1) The director will not consider an event permit application until the requirements of Sections 32B-1-304, 32B-9-201-203, 32B-9-304 and 32B-9-405 have been met, including:

(a) A complete application including all documents and supplemental materials listed on the department's application checklist has been submitted to the department within the time periods delineated in this section; and

(b) the department has conducted an investigation in compliance with Subsection 32B-9-202(1)(a).

(2) Filing timelines:

(a) Subject to Subsection R82-9-201(2)(b), applications shall be submitted 30 days before the event to allow sufficient time for processing and approval.

(b) A late application may be accepted if the director determines that public safety will not be compromised and sufficient time exists to ensure compliance with the notice requirements mandated in Section 32B-9-202. A late application will be reviewed as time allows and is not subject to the provisions in Subsections R82-9-201.1(1)(ii) and R82-9-201.1(1)(iii).

(3) For purposes of Subsection 32B-9-201(2), a substantial change in an event application means a modification that seeks to alter the number of attendees, location, control measures, or any other substantive detail beyond changing the date of the event.

**R82-9-201.1. Guidelines for Issuing Permits.**

(1) Once submitted to the director, the application will be considered in accordance with Sections 32B-9-202, 32B-9-303, and 32B-9-403, including consideration of Section R82-9-202.

(i) After consideration of the totality of the circumstances, the director will either issue a preliminary decision to issue or deny the event permit or refer the application to the commission in accordance with Subsection 32B-9-202(3).

(ii) If the director issues a preliminary decision to deny issuance of an event permit, the decision shall be provided in writing detailing the basis for the denial.

(iii) An applicant may submit a request for review by the commission within the time limits of Subsections 32B-9-202(3)(b) and 32B-9-202(3)(c) related to the three business day review period and regularly scheduled commission meetings. If at least three commissioners request review of the denial in compliance with Subsections 32B-9-202(3)(b) and 32B-9-202(3)(c), the commission shall review the request at its next regularly scheduled commission meeting.

(2) In accordance with Subsection 32B-9-202(2)(d), the director may authorize multiple sales outlets on different properties under one single event permit, provided that each site conforms to location requirements of Subsection 32B-9-201(1).

(3) Any approval, notification, request for a meeting, or requirement to inform under Section 32B-9-202 shall be done electronically.

**R82-9-202. Additional Consideration for Event Permits.**

(1) Authority. This rule is made pursuant to Sections 32B-2-202 and 32B-9-201.

(2)(a) The director may consider the recommendation of the local authority in determining whether the entity is conducting a civic or community enterprise as required in Section 32B-9-303.

(b) The local authority may provide a recommendation as to whether an applicant is conducting a civic or community enterprise as part of the written consent of the local authority required in Section 32B-9-201.

(3)(a) In accordance with Section 32B-9-202 and except as provided in Subsection (3)(c), the director may not issue an event permit unless the applicant demonstrates the following control measures will be implemented at the event:

(i) the event will have at least one location where an individual is required show proof of age before purchasing an alcoholic beverage;

(ii) each individual assigned to check proof of age will have completed the alcohol server training seminar described in Section 26B-5-205 within three years before the date of the event;

(iii) one or more individuals described in Subsection (3)(a)(ii) will be required to supervise each location where an alcoholic beverage is sold or dispensed;

(iv) the event will be secured and delineated by a physical structure such as a fence, wall, or gate, and secured entryways and exits; and

(v) security will be provided by at least one police officer, hired security guard, organization staff member, or security volunteer for every 50 individuals estimated to be in the area the applicant designates for alcohol consumption at one time to minimize the possibility of:

(A) minors being sold or furnished alcohol at the event;

(B) patrons being overserved alcohol at the event; or

(C) patrons removing alcohol from the area designated for alcohol consumption at the event.

(b) In accordance with Section 32B-9-202 and except as provided in Subsection (3)(c), the director may not issue an event permit unless the applicant demonstrates the following additional control measures will be implemented at an outdoor public event, or a large-scale public event with 1,000 or more attendees, where minors are present:

(i) any alcoholic beverage will be served in a readily identifiable cup or container distinct from the cup or container used for a non-alcoholic beverage;

(ii) dispensing and consumption of an alcoholic beverage will be in a designated, confined, and restricted area where minors are not allowed without being accompanied by a parent or guardian;

(iii) a location where an individual is required to show proof of age before purchasing an alcoholic beverage will be separate from an alcoholic beverage sales and dispensing location; and

(iv) an individual assigned to check proof of age at an event will either issue a hand stamp or non-transferable wristband to an individual authorized to purchase an alcoholic beverage at the event.

(c) The director, after reviewing the facts and circumstances of a particular event, may modify any of the control measures described in Subsection (3)(a) or (b) to be more or less stringent as a condition of issuing an event permit provided that the director has first reasonably determined that such modification will not increase the likelihood of minors being sold or furnished alcohol or attendees being overserved alcohol at the event.

(4) Notwithstanding Subsections (2) and (3), the director may not issue an event permit if, based on the totality of the circumstances, the director determines that the event permit is being used to circumvent other applicable requirements of Title 32B, Chapter 9, Event Permit Act.

(5) In accordance with Section 32B-9-204, failure of the event permittee to adhere to the control measures described in Subsection (3) at the event is grounds for the Department to take disciplinary action against the event permittee.

**KEY: alcoholic beverages, event permits**

**Date of Last Change: November 22, 2024**

**Authorizing, and Implemented or Interpreted Law: 32B-2-202; 32B-9-101 through 32B-9-406**