

2020 Special Events



Special Event Licensing

There are four ways in which alcoholic beverages may be lawfully sold and served during special events:

- 5-day licenses/permits
- Outdoor service extension to existing license/permit
- License/permit transfers
- Existing licenses/permits

Due to the high number of applications, we ask that you apply at least 45 days in advance of your event. In addition, your application should be in “Approved by the Local Authority” status at least 15 days prior to the effective date. ABD cannot guarantee that your application will be processed in time for your event if these timelines are not met or your application contains errors or misinformation. Please note that selling alcohol without a license or permit is bootlegging.

On-Premises Retail Licensing Process



Five-Day Licenses/Permits

Types

- Class B Beer Permit – beer & coolers
- Special Class C Liquor License – beer, wine & coolers
- Class C Liquor License – liquor, wine, beer & coolers

To Apply

- Electronically at <https://abd.iowa.gov>
- Contact dramshop insurance carrier
- Contact local authority
- Effective date must allow for delivery of product to licensed premises

Five-Day Licenses/Permits

Entire premises is outdoors



Example Sketch

Outdoor Service Areas

Important Information

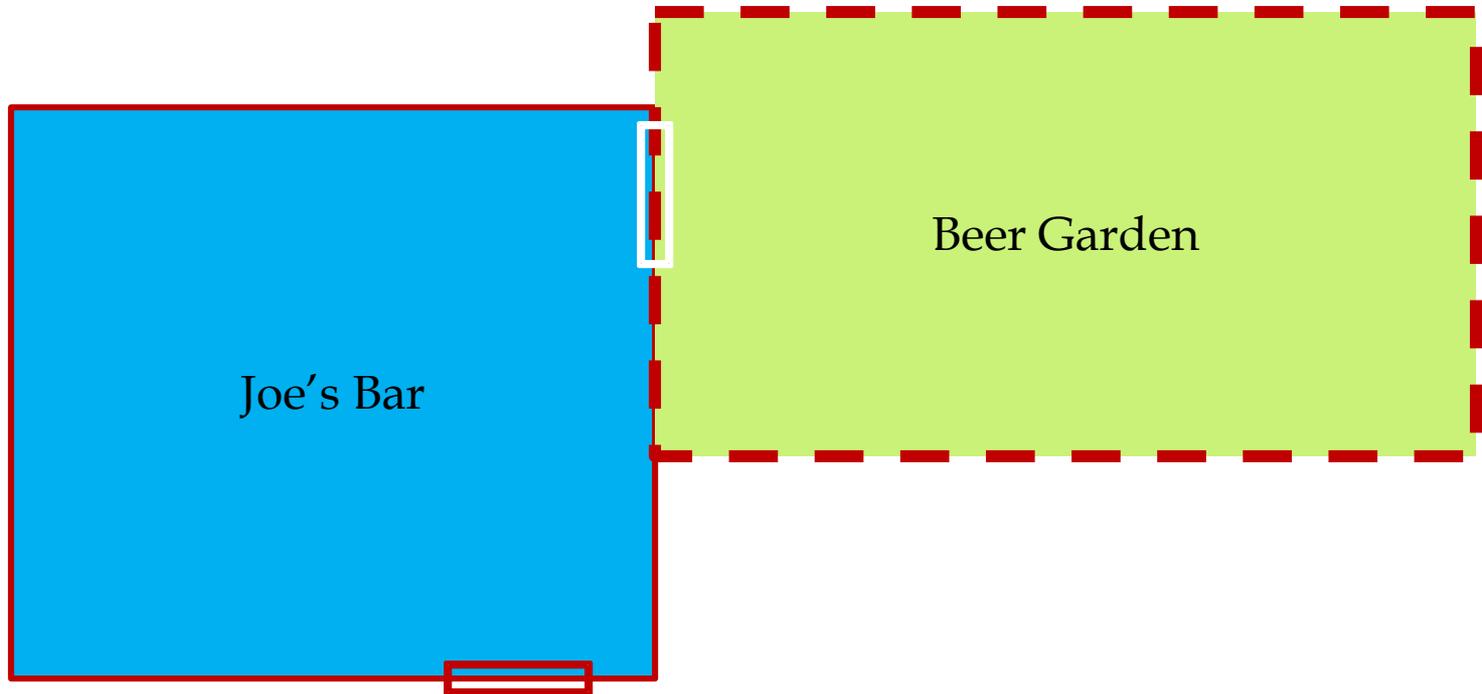
- Discernable area
 - Check with local authority for any ordinances that require fencing, double fencing, etc.
- Only products permitted by license/permit may be served

To Apply

- Electronically at <https://abd.iowa.gov>
- Contact dramshop insurance carrier
- Contact local authority

Outdoor Service Areas

Discernable Area



License/Permit Transfers

Important Information

- Within same local authority jurisdiction
- 24 hours minimum
- No selling or serving at original location
- Only products permitted by license/permit may be served

To Apply

- Electronically at <https://abd.iowa.gov>
- Contact dramshop insurance carrier
- Contact local authority

Hours of Sale

Monday – Saturday

- 6:00 AM – 2:00 AM

Sunday

- 8:00 AM – 2:00 AM

A Sunday sales privilege is required for selling and serving alcoholic beverages on Sunday.

No alcohol can be sold, served, consumed or given away after selling/serving hours

Laws & Regulations

Age to Serve

- 18 & older
- No exceptions
- Local ordinances apply

Legal Drinking Age

- 21 & older
- ID
- If in doubt, do not serve

Intoxicated Persons

- If in doubt, **No Service**

I-PACT

Iowa Program for Alcohol Compliance Training



- Free to Users
- Available 24/7

Why should I have my employees take the training?

- License holders who participate in the I-PACT training are granted an affirmative defense which may be used once in a four-year period. (Cannot be used if sale was to minor under 18)
- License holder may avoid civil prosecution if a sale-to-minor violation occurs at their licensed establishment. (Employee must have been I-PACT trained and certified)
- If the license holder is eligible to avoid the civil penalty, the guilty employee will still be subject to the criminal fine and their I-PACT certification will be revoked.

Age to Purchase Mobile App

What is it?

- Free
- Age to purchase calendar
- Barcode scanner



Who should use it?

- Anyone that is looking for assistance in determining the age of customers while selling or serving alcohol, tobacco, alternative nicotine, or vapor products should use this app.

How to get it?

- App Store: <https://itunes.apple.com/us/app/iowa-abd-age-to-purchase/id1437250743?ls=1&mt=8>
- Google Play Store: <https://play.google.com/store/apps/details?id=gov.iowaabd.agetopurchase>



Public Policy Purpose

Public Policy Purpose

- Iowa Code 123.1: This chapter shall be cited as the “Iowa Alcoholic Beverage Control Act”, and shall be deemed an exercise of the police power of the state, for the protection of the welfare, health, peace, morals, and safety of the people of the state, ... It is declared to be public policy that the traffic in alcoholic liquors is so affected with a public interest that it should be regulated to the extent of prohibiting all traffic in them, except as provided in this chapter.

Privilege

- A license/permit is a privilege, not a right
- Iowa Code 123.38(1): A special permit, liquor control license, wine permit, or beer permit is a personal privilege and is revocable for cause...

Laws & Regulations

Three Tier System



Laws & Regulations

Buying Product

- | | | |
|------------------|---|-------------------------|
| ▪ Beer & Coolers | → | Beer Wholesaler |
| ▪ Wine | → | Wine Wholesaler |
| ▪ Liquor | → | Class E Liquor Licensee |

Records Available for Review

- Cannot buy beer on credit/must pay invoice before end of business day
- Invoices must be kept and made available

Laws & Regulations

Advertising

- No brand names on exterior of the licensed premises
- Brand names may be advertised on the inside of the licensed premises (inside the premises showing through the window)
- Branded patio umbrellas and signs that face inward in an outdoor service area are allowed

Laws & Regulations

Advertising



Legal

Laws & Regulations

Advertising



Illegal

Laws & Regulations

Advertising



Example of why a sketch is important

Laws & Regulations

Advertising



Illegal

Laws & Regulations

Infusing

- Mixing liquor with other alcohol and non-alcohol products (EX: bloody marys, margaritas, apple pie shots, jello shots)
- Each batch may not exceed 3 gallons
- 72 hours to consume or destroy
- Labeling & record keeping requirements

Laws & Regulations

Infusing



Not proper

Laws & Regulations

Infusing



Example of legal

Laws & Regulations

Infusing



Proper labeling of shots

Laws & Regulations

Wholesalers May Not

- Give or pay for furnishings, fixtures, equipment used in storing, dispensing, handling alcoholic beverages and food (includes tapper wagons and glassware)
 - May sell disposable glassware
- Extend credit for product
- Contribute money to retail licensee/ permittee (including non-profits)
- Assist with selling/serving alcoholic beverages
- Violation to both wholesaler & retailer



Criminal Penalties for Violations

Sales – To – Minor Violations

- Criminal fines (against seller)
 - \$1,500 criminal fine – licensee/permittee
 - \$500 criminal fine – agent or employee

Alcohol Violations (Infusion, Advertising, etc.)

- Serious misdemeanor violations

Administrative Penalties for Violations

Sales-to-minor Violations

- Administrative sanctions (against licensee)
 - 1st - \$500.00
 - 2nd within 2 years
 - 30 - day suspension + \$1,500
 - 3rd within 3 years
 - 60-day suspension + \$1,500
 - 4th within 3 years
 - Revocation
 - No license to person - 2 years
 - No license to premises - 1 year

A licensee/permittee is responsible for the actions of all employees/volunteers

Alcohol Violations (Infusion, Advertising, etc.)

- Civil penalties - up to \$1,000 per violation
- License/permit suspension or revocation

Summary Suspensions

Immediate Suspension

- Prevent or avoid immediate danger to public health, safety and welfare.
- Licensee/permittee has due process rights, however, no selling or serving until final disposition of the matter.

Considerations

Food License- Department of Inspections & Appeals

- 515-281-6538

Social Gambling License- Department of Inspections & Appeals

- 515-281-6848

Sales Tax Permit- Department of Revenue & Finance

- 800-367-3388
- 515-281-5777

Materials

Website

<https://abd.iowa.gov/>

<https://abd.iowa.gov/education/specialevents>

The screenshot displays the website's header with the logo for the State of Iowa Alcoholic Beverages Division and three staff photos. A search bar is located on the right. The navigation menu includes: HOME, ABOUT, LICENSING, ALCOHOL, EDUCATION, TOBACCO, and QUICK LINKS. The EDUCATION menu is expanded, listing: AGE TO PURCHASE MATERIALS, BULLETINS, NEW LAWS, DOWNLOADABLE MATERIALS, I-ALERT, I-PACT, I-PLEDGE, LEGALLY SPEAKING, SPECIAL EVENTS, and VIDEOS. Below the menu are three promotional banners: 'Alcohol Retailer Certification' with a 'CLICK HERE' button and a PACT logo; 'How To Get a License' with a 'CLICK HERE' button and a laptop image; and 'Retailer PLEDGE' with a 'CLICK HERE' button and a PLEDGE logo. A stack of folders is visible in the bottom right corner.

Thank You

Contact Information

education@iowaabd.com

