

## Part 4 Temporary Beer Event Permit

### **32B-9-401 Title.**

This part is known as "Temporary Beer Event Permit."

Enacted by Chapter 276, 2010 General Session

### **32B-9-402 Definitions.**

Reserved

Enacted by Chapter 276, 2010 General Session

### **32B-9-403 Director's power to issue temporary beer event permit.**

(1) Before a person may sell, offer for sale, or furnish beer at retail for on-premise consumption at an event, the person shall obtain in accordance with this part:

(a) a single event permit; or

(b)

(i) a temporary beer event permit; and

(ii)

(A) a beer permit issued by the local authority as provided in Section 32B-9-404; or

(B) written consent of the local authority to sell beer at retail for on-premise consumption at the event.

(2)

(a) Subject to Subsection (4), the director may issue a temporary beer event permit to allow the sale, offering for sale, or furnishing of beer for on-premise consumption only at an event that does not last longer than 30 days.

(b) A temporary beer event permit authorizes, for a period not to exceed 30 days, the storage, sale, offer for sale, furnishing, and consumption of beer at an event.

(c) If a person obtains a temporary beer event permit for an event that lasts no longer than 30 days, an on-premise beer retailer license is not required for the sale of beer at the event.

(3)

(a) The director may not issue a temporary beer event permit to a person if the aggregate of the days that the person is authorized to store, sell, offer for sale, or furnish an alcoholic product under a temporary beer event permit will exceed a total of 90 days in any one calendar year.

(b) The director may not issue, and a person may not obtain, a temporary beer event permit to avoid or attempt to avoid the requirement to be licensed under Chapter 6, Part 7, On-Premise Beer Retailer License.

(4) Before the director issues or denies the issuance of a temporary beer event permit under this section, the director shall comply with Section 32B-9-202.

Amended by Chapter 365, 2012 General Session

### **32B-9-404 Local authority's power to issue temporary beer event permit.**

(1) A local authority may issue, suspend, and revoke a temporary permit to sell, offer for sale, or furnish beer for on-premise consumption at an event, except that the local authority may not issue a temporary permit if the event lasts longer than 30 days.

- (2) Suspension or revocation of a temporary beer event permit issued under Section 32B-9-403 or a temporary permit issued by a local authority under this section prohibits the temporary beer event permittee who has a permit suspended or revoked by either the commission or local authority from continuing to operate under the other state or local permit.

Amended by Chapter 365, 2012 General Session

**32B-9-405 Specific permitting requirements for temporary beer event permit issued by commission.**

- (1) To obtain a temporary beer event permit, in addition to complying with Part 2, Event Permitting General Provisions, a person shall state in the person's written application the purpose of the event for which the person seeks a temporary beer event permit.
- (2) The application fee for a beer permit is \$100.
- (3) The bond amount required for a beer permit is the penal sum of \$500.

Amended by Chapter 334, 2011 General Session

**32B-9-406 Specific operational requirements for temporary beer event permit.**

- (1)
  - (a) In addition to complying with the requirements of Section 32B-9-204, a temporary beer event permittee or a person involved in the storage, sale, offer for sale, or furnishing of beer at the event shall comply with this section.
  - (b) Failure to comply as provided in Subsection (1)(a):
    - (i) may result in:
      - (A) disciplinary action in accordance with Chapter 3, Disciplinary Actions and Enforcement Act, against:
        - (I) a temporary beer event permittee;
        - (II) a person involved in the storage, sale, offer for sale, or furnishing of beer at the event; or
        - (III) any combination of persons listed in this Subsection (1)(b);
      - (B) immediate revocation of the temporary beer event permit;
      - (C) forfeiture of a bond; or
      - (D) immediate seizure of beer present at the event; and
    - (ii) if the temporary beer event permit is revoked, disqualifies the temporary beer event permittee from applying for a temporary beer event permit or single event permit for a period of three years from the date of revocation of the temporary beer event permit.
  - (c) Beer seized under this Subsection (1) shall be returned to the event permittee after an event if forfeiture proceedings are not instituted under Section 32B-4-206.
- (2) A temporary beer event permittee may not sell, offer for sale, or furnish an alcoholic product other than beer pursuant to a temporary beer event permit.
- (3)
  - (a) A temporary beer event permittee shall make and maintain an expense and revenue ledger or record showing:
    - (i) expenditures made for beer; and
    - (ii) the revenue from sale of beer.
  - (b) Section 32B-1-205 applies to a record required to be made or maintained in accordance with this Subsection (3).

Enacted by Chapter 276, 2010 General Session

