



# City of Costa Mesa

## Parks and Community Services Department

### FACILITY RENTAL RULES AND REGULATIONS

#### RESPONSIBLE HOST GUIDELINES

##### Alcohol and Beverage Rules and Regulations

- Alcohol refers to beer, wine, champagne and hard liquor. Beverages refer to all other liquids (**no red colored drinks are allowed**).
- Use of alcoholic beverages at the center must be requested at the time of the submission of the rental application. The City reserves the right to place restrictions on the use of alcoholic beverages in accordance with State Law, City Ordinance, and Parks and Community Services Department policy. Failure to comply with any rules and regulations will result in immediate revocation of permission to serve alcohol and may result in immediate closure of event and retention of rental deposit.
- No alcoholic beverage shall be served to any person under 21 years of age. Age identification is required.
- All beverages, including glass bottles and cans of beer, wine, or soda must be served in clear plastic cups, and served over bar unit into individual servings.
- Servings are limited to 8 ounces for serving hard liquor and 12 ounces for serving beer. Maximum of two alcoholic beverages per person allowed to be dispensed per visit to bar.
- When serving champagne, **all bottles must be opened in the enclosed area outside the kitchen**. After champagne is served, all bottles must be removed to kitchen for disposal, or to bar unit for dispensing. No glass bottles (i.e., beer, wine or soda) are allowed in the community center (except at bar).
- All alcohol and beverages must be consumed inside the contracted rental area.
- Serving and/or selling of alcoholic beverages will be allowed for a **maximum of five hours**. Time clock begins at first served drink, even if served before agreed start time of event (e.g. set-up ends early and guest arrives and is served). Sale of alcohol drink tickets must end two hours prior to the end of serving hours. Serving of any alcoholic beverages **must end one hour prior to exit time of guests**.
- No sales or request of donation for alcoholic beverages are permitted without a license from the State Alcoholic Beverage Control Department (714) 558- 4101, 8 a.m. - 5 p.m., Monday - Friday, 28 Civic Center Plaza, Room 369, Santa Ana, CA 92701. Patron must request a letter from City staff 45 days prior to event and then submit letter to Alcohol Beverage Control Department in order to obtain license to sell alcohol.
- Injuries caused to any person as a result of alcoholic beverages being served or consumed on the City's premises, or arising off City premises, or as a result of alcohol being available on the City premises shall be the sole responsibility of the contract rental patron, organization, its sponsor, and adult representative.
- The distribution or consumption of alcoholic beverages shall comply with all applicable laws, including regulations of the Alcoholic Beverage Control Board. Any organization utilizing City premises shall be solely responsible for obtaining all required permits or licenses relating to the distribution and consumption of alcoholic beverages on the premises. **THIS IS NOT THE RESPONSIBILITY OF THE CITY.**
- Evidence of required permits, licenses, or insurance must be provided to City staff 45 days prior to scheduled event.
- All alcohol must be brought into the facility prior to the start of the event and/or before the arrival of guests. No additional alcohol will be allowed to be brought into the facility after the start of the event.
- The designated person in charge of alcohol for the event shall remove all alcoholic beverages at the closure of alcohol service time, from the event area, and from premises at conclusion of the rental.

##### Introduction

The City of Costa Mesa Parks and Community Services Department facility requires that you implement the following *Responsible Host Guidelines*. As the alcohol server(s), you are the designated non-consuming person responsible in maintaining a safe environment while guests enjoy themselves. You can also help prevent alcohol-related traffic accidents associated with impaired driving and underage drinking.

### **Patron and Server Liability**

There are three types of liability associated with the sale and service of alcohol beverages:

*Criminal Liability*—The individual server(s) is held accountable for serving alcohol to a minor or intoxicated guest. If the server is convicted of this misdemeanor offense, a criminal record will be established along with a fine up to \$1,000 and/or up to six months in jail. Additionally, it is possible that the contract rental patron could be found guilty and held responsible for server's actions.

*Administrative Liability*—For events in which alcohol is sold, and Alcoholic Beverage Control (ABC) license must be obtained. The organization and the representative have a legal obligation to the ABC for any infraction—even if they did not personally commit them. Fines can range from \$300 to \$1,500 and can result in closing the event immediately.

*Civil Liability*—Civil liability is concerned with monetary compensation. The contract rental patron, organization, and server(s) are liable for injuries to, or death of, person(s) who are served alcohol at event. The statute for liability in California is often limited to instances where alcohol is served to an obviously intoxicated minor. In most cases the contract rental patron and the server(s) may be found civilly liable for service to an intoxicated minor, which results in personal injury or harm.

### **Legal Responsibilities**

**DO NOT** serve alcohol to minors or intoxicated guests. As the contract rental patron and/or server(s) you have an obligation to comply with the state laws and the city regulations for serving and selling alcohol. You have the legal duty not to serve alcohol to a minor or to an intoxicated person. If you violate these alcohol laws, you may be fined a minimum of \$250 and/or 24-hours of community service to a maximum of \$1,000 and/or six months in county jail.

### **Age Identification**

When it comes to age identification you want to be sure that a person's identification (ID) has been checked. A rule of thumb is to check identification of all persons who look under 30 years old. Valid ID must be a government issued driver's license, passport, or military ID; containing a person's photograph, date of birth, name, signature, and physical description.

### **Things to Check**

- Have the person give you the ID so you can feel it. Uneven lamination may indicate a fake ID.
- Photograph – should match the person, focus on the nose and chin.
- Calculate the person's age and verify that they are 21 years old on or before the current date.
- Signature – should be legible. If you think it may be fake, have them sign and match signatures.
- Physical descriptions – should match those of the person presenting the ID.

### **Intoxication**

Under the state law, you are liable when you serve an obviously intoxicated person. Obviously intoxicated means that the outward signs of intoxication are apparent. It does not matter that the person is not driving; you still cannot serve them if they look or act intoxicated.

### **Intervention Techniques**

If you feel you have to refuse service to somebody, utilize the following techniques:

- Get staff and security back up.
- Do not show anxiety, fear, or anger.
- Be courteous, firm, and not authoritarian.
- Focus on yourself and the problems you will have if you serve the person.
- Don't bargain or back down once you have made the decision to refuse service.
- Move on to the next person or other duties. Turn your side to the patron; do not turn your back to the patron.
- Avoid judgmental statements such as: "You have had too much to drink; you should go home" or anything that sounds like you know what is best for the person.

I have read and understand the above guidelines:

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**Event Date:**

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**Signature of Permit Holder**

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**Signature of Bartender**

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**Name of Permit Holder (Print)**

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**Name of Bartender (Print)**

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**Date**

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**Date**

Copy an Identification Card of the Bartender verifying they are over the age of 21