

1 RESOLUTION NO. 2019-R⁰¹⁴

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY
4 OF CULVER CITY, CALIFORNIA, ADOPTING CITY
5 COUNCIL POLICY STATEMENT ENTITLED "ALCOHOL
6 USE PERMITS FOR CITY-PRODUCED AND CITY-
7 SPONSORED EVENTS".

8 WHEREAS, pursuant to Culver City Municipal Code (CCMC) Section
9 13.03.025.A, the City Council may authorize by resolution an alcohol use permit for the
10 service and consumption of beer and/or wine in a controlled space at a City-produced or
11 City-sponsored event, located in Veterans Memorial Park, or on any street, sidewalk, alley,
12 or highway that has been closed for a City-produced or City-sponsored event, upon a
13 finding that the issuance of such permit will not be detrimental to the public health, safety
14 or general welfare; and

15 WHEREAS, it is the intent of the City Council to establish conditions,
16 guidelines and procedures for the processing of an alcohol use permit, in order to ensure
17 that special events, at which alcohol is served and consumed, do not result in negative
18 impacts to adjacent neighborhoods and are not otherwise detrimental to the public health,
19 safety or general welfare.

20
21 NOW, THEREFORE, the City Council of the City of Culver City, California,
22 DOES HEREBY RESOLVE as follows:

23 1. The City Council hereby adopts City Council Policy Statement entitled
24 "Alcohol Use Permits for City-Produced and City-Sponsored Events," which Policy is
25 attached hereto as Exhibit "A" to this Resolution and incorporated herein by this reference.
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1 2. The City Manager is hereby authorized to format the attached City Council
2 Policy in a format consistent with other City Council adopted policies and shall include the
3 final version of this adopted Policy with other adopted policies.

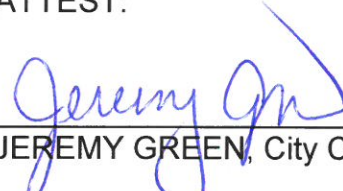
4 3. The City Manager shall distribute the attached City Council Policy to
5 interested parties, which include, but are not limited to, City Staff.

6 4. This Resolution, and Policy attached as Exhibit A, shall be effective
7 concurrently with Ordinance No. 2019-_____.
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10 APPROVED and ADOPTED this 25 day of February 2019.

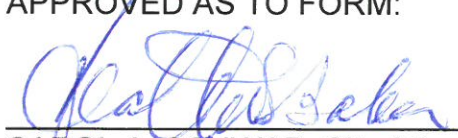
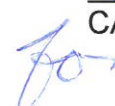
11
12 
13 _____
14 THOMAS AUJERO SMALL, Mayor
City of Culver City, California

15 ATTEST:

16 
17 _____
18 JEREMY GREEN, City Clerk

19 A19-00111

20 APPROVED AS TO FORM:

21 
22 _____
23 CAROL A. SCHWAB, City Attorney
24 

**CITY OF CULVER CITY
COUNCIL POLICY STATEMENT**

Policy Number: _____

General Subject: _____

Date Issued: 02/25/19

Specific Subject: Alcohol Use Permits for
City-Produced and
City-Sponsored Events

Effective Date: _____

Resolution No. 2019-R014

PURPOSE:

Pursuant to Culver City Municipal Code (CCMC) Section 13.03.025.A, the City Council may authorize by resolution an alcohol use permit for the service and consumption of beer and/or wine in a controlled space at a City-produced or City-sponsored event, located in Veterans Memorial Park, or on any street, sidewalk, alley, or highway that has been closed for a City-produced or City-sponsored event, upon a finding that the issuance of such permit will not be detrimental to the public health, safety or general welfare.

The purpose of this Policy is to establish conditions, guidelines and procedures for the processing of an alcohol use permit, in order to ensure that special events, at which alcohol is served and consumed, do not result in negative impacts to adjacent neighborhoods and are not otherwise detrimental to the public health, safety or general welfare.

DEFINITIONS:

"Alcohol Use Permit" shall mean the City-issued permit, pursuant to CCMC Section 13.03.025 for the service and consumption of beer and/or wine in a controlled space at a City-produced or City-sponsored event, located in Veterans Memorial Park, or on any street, sidewalk, alley, or highway that has been closed for a City-produced or City-sponsored event.

"Beer" shall have the same meaning as set forth in California Business and Professions Code Section 23006, as amended.

"Event" shall mean the alcohol service for which the Alcohol Use Permit has been issued.

"Event Area" shall mean the perimeters of the controlled space, bound by fencing or other physical barrier, within which the service and consumption of beverages shall occur.

"Event Staff" shall mean Permittee's employees, agents, volunteers and licensed private security guard(s) who are working the Event.

"Local Charities" shall mean a Culver City organization set up to provide help and raise funds for those in need.

"Permittee" shall mean the person or organization to which the Alcohol Use Permit has been issued.

"Wine" shall have the same meaning as set forth in California Business and Professions Code Section 23007, as amended.

PERMIT CONDITIONS OF APPROVAL:

Every Alcohol Use Permit approved pursuant to the City Council's authority set forth in CCMC Section 13.03.025.A, shall be subject to the following conditions:

1. Permittee shall obtain the necessary State of California Alcoholic Beverage Control Board alcohol sales event permit for the Event, which shall be posted at all times. Permittee shall comply with any and all federal, state and local laws regarding the sale of beer and wine. Permittee shall also obtain any and all required Los Angeles County health permits, which shall be made available upon request.
2. By and on behalf of Permittee in consideration of the request for and the granting of the Alcohol Use Permit, Permittee shall indemnify, hold harmless and defend City and each of its officers, employees and representatives ("Indemnitees") from any and all liability claims, damages, judgments, demands, including attorney fees and court costs, whatsoever, which may arise against any or all Indemnitees by reason of any real or personal property damage, personal injury or death arising or resulting directly or indirectly from Permittee's activities related to the issuance of this Permit.
3. Without limiting any other obligation set forth in the Alcohol Use Permit, Permittee shall be required to maintain an occurrence based Comprehensive General Liability ("CGL") policy (including liquor liability), at least as broad as ISO Form CG 0001, in the minimum amount of One Million Dollars (\$1,000,000) each occurrence, with not less than Two Million Dollars (\$2,000,000) in annual aggregate coverage. The CGL policy shall have the following requirements:
 - (a) The policy shall provide coverage for personal injury, bodily injury, death, accident and property damage and advertising injury, as those terms are understood in the context of a CGL policy. The coverage shall not be excess or

- contributing with respect to City's self-insurance or any pooled risk arrangements;
- (b) The policy shall provide \$1,000,000 combined single limit coverage for owned, hired and non-owned automobile liability;
 - (c) The policy shall include coverage for liability undertaken by contract covering, to the maximum extent permitted by law, Permittee's obligation to indemnify the Indemnitees as required by the Alcohol Use Permit;
 - (d) The Policy shall not exclude coverage for Completed Operations Hazards or Athletic or Sports Participants; and
 - (e) The City of Culver City, and officers, agents, and employees will be named as additional insureds in an endorsement to the policy, which shall be provided to the City and approved by the City Attorney.

The required evidence of insurance shall be submitted to the City at least two weeks prior to the Event.

4. The size and location of the Event Area shall be consistent with the configuration as approved in the separately issued Special Event Permit. The perimeters of the Event Area shall be bound by fencing or other physical barrier. The physical barrier shall not obstruct visibility into the Event Area.
5. There shall be only one entrance to and one exit from the Event Area. All persons must enter the Event Area from the designated entrance point and leave the Event Area from the designated exit point. Permittee shall retain licensed security guard(s) to be posted at each entrance and exit to ensure that all persons in attendance at the Event, including Permittee's employees, agents and volunteers, are in compliance with the conditions of the Alcohol Use Permit.
6. Event Staff shall assist City facilities staff and Culver City Police Department with crowd control in and around the Event Area during any ingress and egress of vehicular traffic adjacent to the Event Area, as requested by City representatives.
7. The Event shall be limited to the sale of beer and wine only.
8. Commencement of alcohol service shall not begin prior to the start time of the Event as set forth in the Alcohol Use Permit. Last call for the service of alcohol shall be conducted no later than 45 minutes prior to the conclusion of the Event as set forth in the Alcohol Use Permit. No drinks shall be served later than 30 minutes prior to the conclusion of the Event as set forth in the Alcohol Use Permit.

9. No alcohol shall be removed from or consumed outside of the Event Area. A sign shall be posted at the exit stating "No Alcohol Beyond This Point."
10. No alcohol, other than alcohol being sold at the Event, shall be permitted in the Event Area.
11. All alcohol shall be served only in reusable or compostable containers.
12. All alcoholic beverages shall be served in a single serving container that complies with the following guidelines: 16 ounce cup or smaller for beer; and 5 ounce cup or smaller for wine.
13. There shall be a two (2) drink maximum at one time.
14. Event Staff shall not serve any alcohol to visibly intoxicated individuals in accordance with applicable laws.
15. Event Staff shall stop serving alcohol at the designated Event closing times as set forth in the Alcohol Use Permit.
16. No minors shall be permitted entrance to the Event Area. A sign shall be posted at the entrance stating "No Minors."
17. Licensed private security guard(s) shall be present to check identification for the purposes of verifying that people entering the beer garden are 21 years of age or older. No person shall be granted access to the Event Area without presenting a valid driver's license that displays a photograph and date of birth evidencing that the person is at least 21 years of age. All persons under the age of 30 years shall present, in addition to a valid driver's license, a second form of identification that displays the person's name and signature or name and picture. Each time a person enters or re-enters the Event Area, that person's age shall be verified with identification.
18. Event Staff shall issue colored wrist bands (that cannot be replaced once removed) to all persons prior to entering the Event Area. No person shall be admitted to the Event Area that is not wearing said wrist band.
19. The capacity of the Event Area shall not exceed the maximum capacity established in the Alcohol Use Permit at any given time.
20. Licensed private security guard(s) shall be present at each entrance and exit to count occupancy. An accurate crowd count at all time must be readily available to City representatives.

21. Event Staff shall receive training in the laws and rules governing the verification of identification, the service of alcoholic beverages, and the refusal of service to intoxicated persons.
22. Event Staff and licensed private security guard(s) shall monitor the alcohol consumption and behavior of all Event participants at all times.
23. Event Staff and licensed private security guard(s) shall not consume alcohol during the Event.
24. No persons shall receive complimentary beer or wine.
25. Distribution or display of any beer and/or wine product advertising or promotional items shall be limited to the Event Area. With the exception of beer and/or wine product advertising and promotional items relating to the products served at the Event, only materials and information relating to Permittee's organization may be distributed or displayed in the Event Area.
26. Permittee shall provide for designated transportation pick-up/drop-off areas, as approved by the Public Works Department. Permittee shall advertise these locations to Event participants, and also provide information regarding public transportation to and from the Event.
27. Permittee shall ensure that the Event Area is cleaned of all trash and debris throughout the Event and, at the conclusion of the Event, shall ensure the Event Area is left in the same condition it was prior to the Event.
28. Permittee acknowledges and understands that the City of Culver City reserves the right to shut down the Event at any time at the sole discretion of Culver City Police Department or other authorized City official.
29. Permittee shall be responsible for coordinating, purchasing and acquiring all supplies and equipment necessary to support the Event including, but not limited to fencing, tables and chairs.
30. All funds raised at the Event shall be used to benefit Local Charities.

Additional conditions may be imposed, which are not inconsistent with this Policy, as determined by the City Manager or his/her designee.

PROCEDURES:

1. A request for an Alcohol Use Permit shall be made concurrently with a request for City-sponsorship.
2. When applicable, a request for an Alcohol Use Permit shall be identified in the City's Special Event Grant Program application.
3. Approval of City-sponsorship of a special event does not guarantee the issuance of an Alcohol Use Permit.