

# PRIVATE PARTIES IN A DABS LICENSED PREMISES

31B-1-102 (Private Event), 32B-4-415 (5), 32B-4-501, 32B-5-301 (7), 32B-5-309, 32B-6-406 (9)

**Question: Can a private party or event be hosted at a DABS licensed premises?**

The short answer is YES! Except at an airport lounge.

## LET'S DEFINE A PRIVATE PARTY

A private party or event means a specific social, business, or recreational event where:

- An entire room, area, or hall is leased or rented in advance by an identified group
- Is limited in attendance to guests who are specifically designated. Think of a:
  - Birthday party
  - Bridal shower
  - Christmas Party
  - Company Party
  - Reunion
  - Wedding reception



## STEP ONE – DETERMINE IF IT IS A PRIVATE PARTY



The general public cannot be invited to a private event, whether for an admission fee or not. Follow-up questions need to be asked by both the licensee and the party host to determine if it is really private or not:

- A private party should be able to provide a guest list in advance.
- If the general public can respond to an invitation over social media, internet, radio, TV, newspaper advertisements, or flyers, this is **NOT** a private event.
- If anyone can gain admittance or pay to get into the event, this is **NOT** a private event.
- If there is any charge including indirect charges such as tickets, cash bar, etc. this is **NOT** a private event.



## STEP TWO – 4 WAYS TO ACCOMMODATE YOUR PRIVATE PARTY

After determining that the event is truly a private one, they can be accommodated in several ways:

1. Have the licensee sell and serve alcohol using their DABS licensed premises with the laws and rules intact for their specific license type:



- All laws and rules for each license type must be followed.
- Dispensing records must be kept for all spirituous liquor.
- Primary spirituous liquor must be metered.
- Scanners are required in bars, taverns, or visible restaurant bars.
- Drinks served must be listed on the regular alcohol menu.
- No discounting of alcohol.
- Operating hours must remain the same for the license type.

In this case, the licensee benefits from the sales but takes the risk of any violations against their license.

2. The private party rents or leases the entire DABS licensed establishment, a room, or area where the host or specifically designated guests provide their own alcohol:

- The licensee must not sell or provide any alcohol.
- A licensee may charge the host for a bartending service, chilling, or corkage fee.
- The location must not be open or accessible to the general public.
- The host or guests may not bring alcohol into any licensed area if it is still open to the public, or unless there is a separate entrance. Wine is an exception if the licensee can sell wine.
- No dispensing records are required.
- Liquor doesn't need to be metered.
- Alcohol must be provided free of charge to guests.
- No indirect sales of alcohol are allowed such as selling tickets to the event, or donations for the dinner, etc.
- Alcohol cannot be consumed on a licensed premises beyond their normal operating hours. For instance, a private party consuming alcohol at a bar, even if they rented the entire place, may not continue to serve alcohol past 1:00 AM. Restaurant hours are even more restrictive.
- Minors may never be allowed on the premises of a bar or tavern even if it is a private party.
- If the licensee is a bar, the private party host **must agree in writing** to abide by the operational requirements of a bar, except for making or maintaining records.



3. The third option is a single event permit. A bona fide business or entity hosting an event may rent or lease the entire DABS licensed premises and obtain a single event permit:

- The licensee may not provide alcohol.
- A cash bar may be provided for the guests.
- An admission fee may be charged with a hosted bar.
- Events can also be open to the general public.
- Only bona fide entities that have been in existence for at least a year can apply.
- Single events must be a civic or community event – a wedding party would not qualify.
- Applications for permits must be applied for in advance and city licensing is also required
- Single event permits may not be used in place of proper licensing.



In this case, the permit holder would be responsible for the alcohol service and any violations

4. The last option is a temporary beer permit. Although similar to the single event permit, the key differences for this permit are:

- Anyone can obtain a beer permit and it does not have to be a bona fide entity. For instance, a wedding party may get a temporary beer permit.
- Only beer may be served. No heavy beer, wine, or liquor is permitted on the premises.

No matter which option you choose, the licensee and the party host must be very careful about not serving alcohol to minors or allowing guests to become intoxicated. If anyone at the party were to be involved in a DUI resulting in property damage or injuries, civil dram shop violations may apply.



**STEP THREE – ENJOY YOUR PARTY . . . RESPONSIBLY!**