



INCORPORATED COUNTY OF LOS ALAMOS ADMINISTRATIVE PROCEDURE GUIDELINE

Index No. 1736

Effective: July 1, 2000
Revised: August 20, 2014

SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT COUNTY FACILITIES

I. Purpose

The purpose of this policy is to control the sale, service, and subsequent consumption of alcoholic beverages during activities or events both public and private at County owned and managed facilities.

This policy shall not be deemed to prohibit the responsible consumption of personal alcoholic beverages brought by persons at least 21 years of age to a County outdoor facility except where a Contractual Food and Beverage Operator has been approved to operate.

II. Policy

A. All Facilities - Any person or organization desiring to conduct an activity or event at or on any County facility where alcoholic beverages are intended to be sold or served, and then consumed is required to obtain a **County Alcohol Use Permit** (Attachment A). Individuals or organizations may apply for a **County Alcohol Use Permit** for a special event or function on County property. The County reserves the ability to approve or deny such permits. Those who may be involved in the sale or service of alcoholic beverages, or who may consume alcohol beverages, shall do so responsibly and in a way which does not have a negative or disruptive effect on others participating in or observing the activity or event.

Alcoholic beverages shall not be sold, or served at any County indoor or outdoor facility unless the person or organization sponsoring the event has obtained a **County Alcohol Use Permit** and such alcoholic beverages are served by a licensed dispenser, wine grower, small brewer or craft distiller. The sponsor and the dispenser must comply with state law governing dispensing of alcoholic beverages by obtaining a New Mexico Alcohol Permit.

- B. Los Alamos County Golf Course - It is the policy of Los Alamos County that the sale, service, and consumption of alcoholic beverages under the County's governmental liquor license at the Los Alamos County Golf Course may be allowed to support the daily operations of the golf course on the entirety of the golf course (Attachment B), as described in the County's Governmental Liquor License including golf tournaments and golf-related banquets if sponsored by the County.

For events at the Golf Course or Golf Course Building beyond Golf Course operations and in the event that there is not a Food and Beverage Operator under contract, alcoholic beverages may only be sold or served by a properly licensed dispenser provided the sponsor has obtained an **Alcohol Use Permit** from the County.

- C. Contractual Food and Beverage Operator – In the case of a food and beverage operator that is serving alcohol as part of services being provided under contract with the County in a County facility, the operator has the ability to sell, serve and allow the consumption of alcohol in the specified area as detailed in the contract, and in the manner according to the New Mexico Alcohol and Gaming Division.
- D. The County of Los Alamos will not obtain or be a sponsor to obtain a Los Alamos County Alcohol Permit.

III. Definitions - The following definitions apply to this policy:

- A. Alcoholic Beverage - Any distilled or rectified spirits, potable alcohol, brandy, whiskey, beer, wine, rum, gin or aromatic bitters, including blended or fermented beverages, dilutions or mixtures containing more than one-half of one percent alcohol by volume, but excluding medicinal bitters.
- B. County Indoor Facility - Any buildings or structure owned or operated by the County, including all community centers, auditoriums, meeting rooms, libraries, or other buildings and facilities intended for special events, functions or other public uses by the general public, elected officials, or County employees.
- C. County Outdoor Facility - Any outdoor area owned and operated by Los Alamos County, including all parks, park buildings or structures, the Los Alamos Golf Course greens and fairways, athletic fields and athletic field buildings or structures.

- D. Golf Course Liquor License - The governmental liquor license held by the County for the sale, service and consumption of alcoholic beverages at the Los Alamos County Golf Course.
- E. Sponsor - Any person, organization or entity who applies to the County to use any County owned or operated facility for an activity or event where alcoholic beverages are intended to be sold, served, and consumed.
- F. Local Dispenser – A business that owns or leases a Dispenser Liquor License located in the county where the event is to be held.
- G. Non-Local Dispenser – A business that is a license holder as a wine grower, small brewer or craft distiller.
- H. Special Dispenser Permit – Sometimes referred to as a “picnic license” and is issued for special events, such as weddings, receptions, gallery openings and private parties held off of a liquor premises. This permit creates a temporary licensed premise from which the licensee, with a full liquor license, may sell or serve alcoholic beverages by the drink for a special event for a limited number of hours.
- I. Public Celebration Permit – This permit is issued only to wine growers, small brewer or craft distiller license holders and can only be used at public celebrations, such as state or county fairs, community fiestas, cultural or artistic events, sporting competitions of a seasonal nature or activities held on an intermittent basis.
- J. Interstate Wine Tasting/Competition Permit – This permit is issued to an out-of-state winemaker or winery for the duration of the wine tasting or competition.

IV. Responsibility for Administration

It is the responsibility of the County Administrator or designee to administer this policy for County indoor and outdoor facilities.

V. Procedures

- A. Permit Application Process – **County Alcohol Use Permit** applications are available through the Parks, Recreation and Open Space (PROS) Division office or on the Los Alamos County website. The application process must be started at least fifteen (15) business days prior to the date of the All applications must be approved by the County Administrator or his designee. The **County**

Alcohol Use Permit is provided as Attachment A and is subject to revision by the County Administrator.

County Alcohol Use Permits may be granted for indoor and outdoor facilities based on public safety, proximity to residences, and appropriateness of alcohol sales, service and consumption to the activity and venue, in addition to sponsor's compliance with any state requirements or restrictions.

A licensed dispenser must also obtain a State Permit from the New Mexico Alcohol and Gaming Division. The permit transaction must be handled directly between the sponsor and the dispenser. This permit must have approval of the County Administrator or designee prior to the licensed dispenser submitting the permit to the Alcohol and Gaming Division.

A completed copy of the New Mexico Gaming and Alcohol Permit must be provided along with the **County Alcohol Use Permit** to the Parks, Recreation and Open Space Division Office no later forty-eight hours prior to an event.


- B. Licensed Dispenser Requirements - Alcoholic beverages may only be dispensed through a dispenser approved by the Alcohol and Gaming Division of the New Mexico Department of Regulation and Licensing.
- C. Licensed dispensers must comply with state laws governing the dispensing of alcoholic beverages.
- D. Indemnification - Sponsor and licensed dispenser must agree to indemnify, hold harmless and defend the County by signing the attached indemnification forms as well as by providing a Certificate of Liability Insurance with the County being named as an "Additional Insured" from all action or omissions resulting from the sale, service and consumption of alcohol at or on the County facility specified in the County Alcohol Use Permit. The form of indemnification shall be included as part of the application.
- E. CONDITIONS. No area for the sale, service and the consumption of purchased or served alcohol shall be permitted, maintained, or operated except in conformity with State regulations, County Code of Ordinances and County policies and practices.

VI. Penalties


The County Administrator or his designee, may immediately revoke the Alcohol Use Permit and cancel the underlying activity or event at the County facility if he

determines that a violation of this policy or the conditions of the Alcohol Use Permit by the sponsor, the licensed dispenser, or any participants or guests has occurred. The County shall not be liable to the sponsor or any other person for any damages resulting from such action. The County reserves the right to legal remedies and/or to limit future permits in the case of recurring violations.

Prepared by: County Administrator's Office



HARRY BURGESS
County Administrator



DATE

ATTACHMENT A:

APPLICATION FOR A LOS ALAMOS COUNTY FACILITY ALCOHOL USE PERMIT

To be completed at the time of initial submission:

SPONSOR

Name of Sponsoring Individual or Organization: _____

Your title in the organization: _____

Address: _____

Phone Number: _____

EVENT

Describe event briefly: _____

Event Date(s): _____

Event Time(s): Beginning _____ Ending _____

Location: _____
(Attach a site map with dimensions and perimeter of the designated area)

INDEMNIFICATION

SPONSOR agrees to indemnify, hold harmless and defend the County from all costs, claims, demands, and actions, legal or equitable, including payment of all attorney fees and costs, arising directly or indirectly from the sale, service and consumption of alcoholic beverages at the County facility set forth in the alcohol use permit, whether resulting from any acts or omissions by the sponsor, the licensed dispenser, or their respective employees or agents, or by any participants or guests of the sponsor.

AGREEMENT TO COMPLY WITH

LOS ALAMOS COUNTY POLICY CONCERNING THE SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT COUNTY FACILITIES.

Sponsor agrees to comply with the provision of the Los Alamos County Policy concerning the sale, service and consumption of Alcoholic Beverages at County facilities, and the conditions of this alcohol use permit, and acknowledge that the County Administrator or his designee have the authority to revoke the permit and cancel the event or activity at the County Facility without liability to the sponsor or any other party if he determines a violation of said policy, existing law, or the conditions of this permit to have occurred.

Signature of Agent

Date

Business or Organization

TO BE COMPLETED AT THE TIME OF FINALIZING THE COUNTY PERMIT:

DISPENSER

Licensed Dispenser: _____

Address: _____

Phone: _____

Insurance Carrier: _____

Is Los Alamos County listed as an "additional insured"? _____ Yes _____ No
(Proof of insurance coverage naming the Incorporated County of Los Alamos as "additional insured" is required.)

INDEMNIFICATION

LICENSED DISPENSER agrees to indemnify, hold harmless and defend the County from all costs, claims, demands, and actions, legal or equitable, including payment of all attorney fees and costs, arising directly or indirectly from the sale, service and consumption of alcoholic beverages at the County facility set forth in the alcohol use permit, whether resulting from any acts or omissions by the sponsor, the licensed dispenser, or their respective employees or agents, or by any participants or guests of the sponsor.

AGREEMENT TO COMPLY WITH

LOS ALAMOS COUNTY POLICY CONCERNING THE SALE, SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT COUNTY FACILITIES.

Licensed Dispenser agrees to comply with the provision of the Los Alamos County Policy concerning the sale, service and consumption of Alcoholic Beverages at County facilities, and the conditions of this alcohol use permit, and acknowledge that the County Administrator or his designee have the authority to revoke the permit and cancel the event or activity at the County Facility without liability to the sponsor or any other party if he determines a violation of said policy or the conditions of this permit to have occurred.

Signature of Agent

Date

Local Licensed Liquor Dispenser

Approval

Approval is given for the sponsoring individual or organization to have a licensed local dispenser sell alcoholic beverages at this event on the date(s) and at the time specified above.

Incorporated County of Los Alamos

Harry Burgess, County Administrator

Permit No.

Permit Type

**ATTACHMENT B:
Golf Course Perimeter**

