



Serving Alcohol the Safe Way

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Introduction



Communities hold events and festivals for many reasons, but research suggests many share common elements and potential problems of concern. Alcohol sales to intoxicated individuals and under-age youth are common elements that often occur. Fortunately, research provides specific steps that reduce the risk of these problems when implemented.

Potential Problems with Alcohol Access at Community Events

- Community events can offer easy opportunities for underage youth to purchase and consume alcohol or to obtain it from others.
- Widespread and unchecked alcohol use at community events can fuel foul language, disruptive behavior, fights, and violence. These problems can cause harm to individuals and our community.
- Excessive alcohol consumption at events adds to other community problems such as noise, littering, traffic congestion and safety.

Getting Started



First make sure to obtain necessary permits and permissions for your event. Permits may be required at the county and city level, as well as, from the state.

Below you will find a link to the KS Temporary Permit Handbook to make sure you are following all state legal requirements:

KS Alcohol Beverage Control (ABC) – Temporary permit for Alcohol handbook https://www.ksrevenue.org/abchbtemporarypermits.html#8

Reasonable restrictions on alcohol consumption at public events will improve the atmosphere of our community events, fairs, festivals, and parades by providing a safer and healthier environment for families, underage youth, and other concerned citizens.

Reasonable guidelines can be enacted to ensure that adults wishing to consume alcohol may do so safely at community events permitting alcohol consumption.

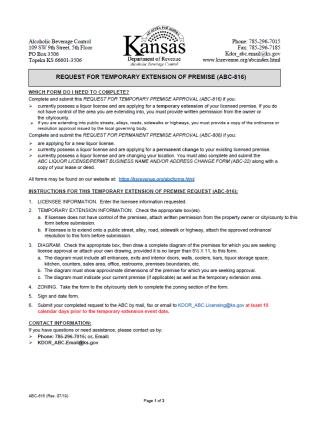
One of the highest priorities of ABC Enforcement is to make it as easy as possible for liquor licensees to stay in compliance with state laws and regulations administered by ABC and the Department of Revenue. To accomplish this, Enforcement agents provide free training to liquor licensees to help them understand licensing requirements so they can stay in compliance. Contact your local state agent for details.

Check List for Contacting the State

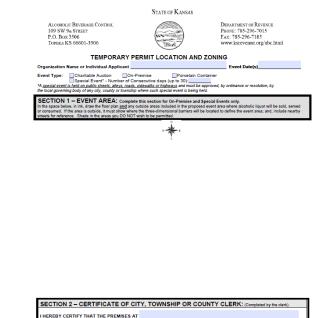
what steps to expect:

- 1. The applicant will complete section 1 of the ABC-892 form and then take the form to the city/county clerk to complete their section.
 - a. If the event is a "Special Event" on streets, alleys, roads, sidewalks or highways they must also have an approved ordinance/resolution from the local governing body.
- 2. Once the applicant has completed those steps, they should apply to ABC Online Kansas Login (ksabconline.org).
 - a. During the online application process, the applicant will upload the ABC-892 and ordinance/resolution if applicable and can submit with payment electronically.

This must be submitted 14 days prior to the event.



Picture of Temporary Extension of Premise Form



Picture of Temporary Permit Location and Zoning Form

CITY LIMITS: Inside the incorporated oity limits Outside the city limits

CONINGE within an area that complies with all applicable zoning regulations required by K.S.A. 41-2845(d)

| located outside an incorporated city, in a township or county that it not zoned

(Second Took | powerment property | private property | cubic property | CMB licensed premise declare under penalise of pirity that to the best of my knowledge and belief that Section 2 is true, correct and complete.

CLERK SIGNATURE

Safe-Event Planner Checklist

Pre-Event

- Applied for temporary permit
- Servers
- Received permission for extension
- O Policy Manual / Safety Plans
- Signage

Entrance

Security / Flashlights

- O ID Checking Guide
- Mristbands / Markers
- O Policy Manual
- O Signage / Copy of Permit
- O Security / Black Lights

Premises

- O Security at each entrance
- Trash Receptacles
- Adequate lighting
- O Sufficient Parking
- O Safe Walking Paths
- O Sufficient Restrooms

The Bar

- O ID Checking Guide
- O Incident Report Form (EX. found on P.23 & 24 of toolkit)
- O Distingishable Cups
- Markers / Pens
- Cash Box
- O Policy Manual

Signage

- All signs for servers in visible locations
- O Posters are visible for event attendees
- Extra copies of signage
- Tape / Stapler

Servers

- Suggest that all servers are 21 & over
- Reminders that there is no drinking while on duty
- O Have Reviewed the Policy
 Manual
- Are aware of Signage / Copy of Permit
- Have employee identification

Is that a Fake ID?

I.D. Checking Guide

ID AND DRIVER'S LICENSE CHECKS MADE EASY

When it comes to ID verification, Visit: www.driverslicenseguide.com/

On their website you will find their references have the authority that comes from more than 50 years of experience. Provided are the tools your event needs for low-cost portable ID verification.

For Security and Black Lighting: Black lights often highlight where the individual tampered with the ID, and they always reveal any chalking or other technique that removed the original name or birth date from the ID. Black lights can reveal additional glue or other marks resulting from a seal that the individual removed or replaced. You would need any lighting that would show UV Printing/Ghost Imaging which is becoming more popular on licenses. Security cameras would need to make sure that it is a clear image and would need to specifically be shown at all entrances, exits, and where the bar might be located.



Picture of www.driverslicenseguide.com/



Picture of I.D. Checking Guide sample page for State Identification

Four Practices that Prevent & Reduce Underage Drinking

414,000 adolescents between the ages of 12-17 had an Alcohol Use Disorder according to 2019 NSDUH

MILLER

- 1. I.D. checks at the entrance to serving area
- 2. Wrist bands to identify attendees age 21+ or limit entry to those 21+
- 3. A secure perimeter (fence) around the serving area
- 4. Distinguishable cups that allow for easy identification of alcohol vs alcohol-free beverages



Policy Solutions

Plans & Implementation

Establish adequate and proportional alcoholfree areas. Secure perimeter and if able, preferably double perimeter. It is most beneficial to have one entrance and one exit with both staffed by security. Here are some more suggestion's we have provided below:

- Limit entry to 21+ or 21+ after specific time
- Uniformed security in serving area.
- ID's checked by uniformed police or trained individuals
- Sponsor special activities for underage youth.
- Establish designated alcohol areas that prohibit underage youth.
- Keep people from leaving the specified area with alcoholic beverages.
- Promote special alcohol-free days/nights for multi-day events.
- Establish and enforce procedures for selling, possessing and consuming alcohol at the event.
- Disallow participants from bringing their own alcohol to the event

Every day about 28 people in the US die in drunk-driving crashes - 1 person every 2 minutes

Sales & Service

- Require all alcohol servers to be certified.
 - Alcohol seller-server training courses provides the necessary knowledge of laws regarding alcohol service and proven techniques needed to be a responsible seller of alcohol and for providing a safe environment for customers
- Establish age identification checking procedures.
- Prohibit servers from consuming alcohol.
- Establish procedures for managing intoxicated persons.
- Limit cup sizes to 12 ounces & use transparent cups.
- Distinguish cups for alcoholic beverages from cups for non-alcoholic beverages.
- Stop serving alcohol at least one hour before the event ends.
- Provide signage stating NO ONE under age 21 served
- Limit multiple purchases
- Suggest no pitchers, buckets or growlers

Offer alternatives

- Sell food and non-alcoholic drinks and provide water.
- Establish food and alcohol-free beverage booths adjacent to alcohol booths
- Require food or food vendors in the serving area
- Nonalcoholic beverages costing less than alcohol
- Provide sanitation within the perimeter

How to Enforce Alcohol Policies:

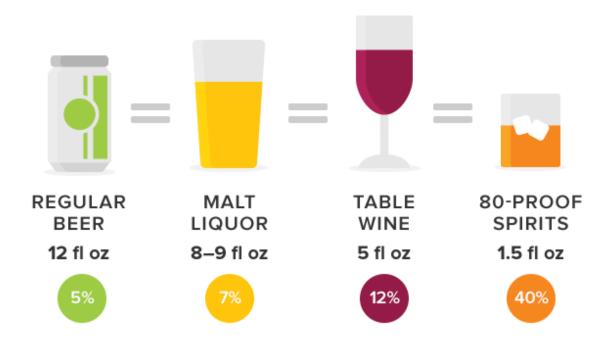
Tips & Tricks

- 1. Provide copies of policies to all staff and volunteers before their first shift.
- 2. Train your staff/volunteers on the policies. You can explain them, read them out loud, demonstrate them, or use any other method that ensures your staff understands how to follow the policies.
- 3. Document. Make a record that you gave staff/volunteers the policies and trained them how to implement the policies. Keep the documentation.
- 4. Enforce the policies. When your staff member or volunteer is doing a good job, give him or her positive feedback.
- 5. Follow through. Your staff's actions are the real policies of your event. Only by following through and by monitoring your staff's performance, will the written policy match the actual practices of staff.
- 6. Permanence. Follow procedures to make sure your policies are followed year after year.

Alcohol contributes to about 18.5% of Emergency
Department visits and 22.1% of overdose deaths related to Rx opioids

Seven policies and practices that prevent and reduced excessive (binge) drinking:

- 1. Limiting the number of beverages that can be purchased at a time.
- 2. Servings sized 12 oz. or smaller
- 3. No discount alcohol pricing
- 4. No sales to visually intoxicated individuals
- 5. Prohibiting servers from drinking
- 6. Ending alcohol sales one hour before closing
- 7. Food and alcohol-free beverages available where alcohol is sold.



Employee Restrictions

All persons who are serving alcoholic beverages must be at least 18 years old.

However, any server who is under the age of 21 must be supervised by a person who is at least 21 years old. [Subsections (k)(1) and (k)(3) of K.S.A. 41-1201 and Subsections (a) and (c) of K.A.R. 14-23-7]

All persons who are mixing or dispensing alcoholic beverages must be at least 21 years old. [Subsection (k)(2) of K.S.A. 41-1201 and Subsection (b) of K.A.R. 14-23-7]

No person who is dispensing, mixing and serving alcoholic liquor can:

 have a conviction of a violation of any intoxicating liquor law of Kansas, any other state, or the United States within the previous two years. [Subsection (j)(5) of New Section 1 of 2019 Senate Bill 70 and Subsection (e) of K.A.R. 14-23-7]

- Have a conviction of a felony or of any crime involving a morals charge in Kansas, any other state, or the United States at any time. [Subsection (k)(5) of K.S.A. 41-1201]
 "Morals charge" is defined in subsection (i) of K.A.R.14-23-1 as a charge alleging:
 - prostitution
 - procuring any person
 - solicitation of a child under 18 years of age for any immoral act involving sex
 - possession or sale of narcotics, marijuana, amphetamines or barbiturates
 - o rape
 - incest
 - o gambling
 - adultery
 - bigamy
 - o a crime against nature
- have two or more convictions within the previous five years of K.S.A. 21-5607, furnishing alcoholic liquor to a minor, or a similar law of any other state, or of the United States; or have three or more convictions within the previous five years of any other intoxicating liquor law of Kansas or any other state, or of the United States. [Subsection (c) of K.S.A. 41-2610] This would include convictions for driving while intoxicated (DWI) or driving under the influence (DUI).

Employee Restrictions

Selling alcoholic liquor or cereal malt beverage below cost.

A temporary permit holder shall not sell any individual drink at a price less than the acquisition cost of the drink to the permit holder, plus liquor drink tax.

[Subsection (a)(2) of K.S.A. 41-2640]

Serving free alcoholic liquor.

A temporary permit holder **shall not serve any free alcoholic liquor or cereal malt beverage in any form to any person**, other than samples provided as outlined in this handbook. [Subsection (a)(1) of K.S.A. 41-2640]

Sale of powdered alcohol.

A licensee shall not sell, offer to sell, or serve free of charge any powdered alcohol. [Subsection (a)(5) of K.S.A. 41-2640]

Offering 2-for-1 or buy-one-get-one-free specials.

A temporary permit holder shall not offer or sell any drink special which implies or indicates that a drink is free. [Subsections (a) (1) and (a)(5 of K.S.A. 41-2640]

Allowing a drinking game.

encourage or permit any game or contest that involves the consumption of alcoholic liquor or cereal malt beverage on the permitted premises. [Subsection (a)(4) of K.S.A. 41-2640] This does not include "water pong" or any other game in which participants consume only water or other non-alcoholic liquid. It does include any game advertised or promoted as including only water or other non-alcoholic liquid but during which the participants consume alcoholic liquor or cereal malt beverage.

[Ruling by the director on July 30, 2012]

There shall be no serving, mixing or consumption of alcoholic liquor on the premises covered by the temporary permit between the hours of 2 a.m. and 9 a.m. on any day. [Subsection (c)(4) of K.A.R. 14-23-5]

A temporary permit holder may offer for sale, sell and serve alcoholic liquor for consumption on unlicensed premises which may be open to the public, if the premises is located within a "wet county." Information concerning the status of each county may be found on the ABC website at:

http://www.ksrevenue.org/pdf/abcwetdrymap.pdf [Subsection (e) of K.S.A. 41-1201]
A temporary permit holder shall sell and serve alcoholic liquor only by the individual drink, except that a temporary permit holder may sell or serve:

- Beer or CMB in a pitcher capable of containing not more than 64 fluid ounces.
 [Subsection (c)(4) of K.S.A. 41-2640]
- Margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages, as approved by the director, in a pitcher containing not more than 64 fluid ounces. [Subsection (c)(6) of K.S.A. 41-2640]
- A temporary permit holder may sell wine in the unopened, original container at the state fair. [Subsection (f)(2) of K.S.A. 41-1201]

 Multiple cans or bottles of beer may be sold to a customer at the same time. The bottles or cans may be opened prior to service. [Approved by the director June 18, 2010]

Most of the restrictions on the pricing of drinks dispensed by temporary permit holders or their employees or agents are set forth in subsection (a) of K.S.A. 41-2640, which prohibits:

 Offering or serving free alcoholic liquor to any person. [Subsection (a) (1)] This is interpreted as also prohibiting employees or agents of the permit holder from "buying" drinks for anyone on the licensed premises.



Most of the restrictions on the pricing of drinks dispensed by temporary permit holders or their employees or agents are set forth in subsection (a) of K.S.A. 41-2640, which prohibits:

- Offering or serving free alcoholic liquor to any person. [Subsection (a)(1)] This is interpreted as also prohibiting employees or agents of the permit holder from "buying" drinks for anyone on the licensed premises.
- Selling, offering or serving any drink at a price below acquisition cost of the drink. [Subsection (a)(2)] The acquisition cost shall include the cost of both the alcoholic liquor and nonalcoholic liquor contained in the drink, but not the cost of water, ice, labor, overhead and any other items of clearly negligible value. [K.A.R. 14-23-12]
- Selling, offering or serving an unlimited number of drinks to any person for a set period of time at a fixed price, except at private functions not open to the general public or to the general membership of a club. [Subsection (a)(3)]

- Encouraging or permitting any game or contest which involves drinking alcoholic liquor or the awarding of drinks as prizes on the licensed premises. [Subsection (a)(4)]
- Advertising or promoting in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4). [Subsection (a)(5)]

Each year nearly 700,000 college students ages 18-24 are assaulted by another student who has been drinking and 97,000 students report experiencing alcohol-related sexual assault or date rape.

Illegal possession or consumption of alcoholic liquor or cereal malt beverage by a minor.

Knowingly or unknowingly permitting any minor to possess or consume alcoholic liquor or cereal malt beverage on the licensed premises is a criminal offense, subject to fine and imprisonment, in addition to possible administrative action by the director. [K.S.A. 41-2615] Exceptions or defenses:

- An exception is made for a minor that is an employee of the licensee and is serving alcoholic liquor or cereal malt beverage under the supervision of another employee of the licensee who is at least 21 years of age. [Subsection (a) of K.S.A. 41-2615]
- It is a defense to criminal prosecution if the minor exhibited a driver's license, Kansas non-driver's ID card, or other official or apparently official document, containing a photograph that reasonably appears to be the minor and purporting to establish that such minor was 21 years of age or more, and the licensee had reasonable cause to believe that the minor was 21 years of age or older. [Subsection (c) of K.S.A. 41-2615]

Responsibility for Violations at the Event

Each permit holder is responsible for all violations of the Club and Drinking Establishment Act and associated regulations by the following individuals during the event while on the premises covered by the temporary permit [K.S.A. 41-1202 and K.A.R. 14-23-9]:

- employees of the permit holder
- persons serving or mixing alcoholic beverages
- any employee of any business contracting with the permit holder to provide food or services in connection with the event.

Other Requirements

- Permit holders shall be present at all times during the event or designate another person
 to be responsible for the conduct of the event if the permit holder is absent. If the permit
 holder is an organization, the organization must designate a person to act as their agent to
 be responsible for the conduct of the event. [Subsection (d) of K.A.R. 14-23-5]
- Permit holders must admit any law enforcement officer to the premises covered by the temporary permit. [Subsection (c)(3) of K.A.R. 14-23-5]
- Permit holders must display on a poster or other device at the entrance to the premises covered by the temporary permit: [Subsection (b) of K.A.R. 14-23-5]

The Temporary Permit

- The name of the agent of the organization who is in charge of the event
- A diagram of the premises covered by the permit, clearly showing the boundaries of the
 premises, entrance(s) to and exit(s) from the premises, and the area in which the service of
 alcoholic liquor will take place
- The business names of all drinking establishments that have elected to extend their licensed premises into the event.
- The boundary of any premises covered by a temporary permit must be marked by a three-dimensional obstacle. [Subsection (b) of K.A.R. 14-23-10]
 - o Cereal malt beverage.
 - A temporary permit holder shall not sell or serve any cereal malt beverage at an event. [Subsection (c)(5) of K.A.R. 14-23-5]
 - Refilling original containers.
 - A temporary permit holder shall not refill any original container with alcoholic liquor or any other substance. [Subsection (a) of K.S.A. 41-1203 and Subsection (c)(7) of K.A.R. 14-23-5]

There shall be no serving, mixing or consumption of alcoholic liquor on the premises covered by the temporary permit between the hours of 2 a.m. and 9 a.m. on any day. [Subsection (c)(4) of K.A.R. 14-23-5]

Examples of Signage







Appendix B



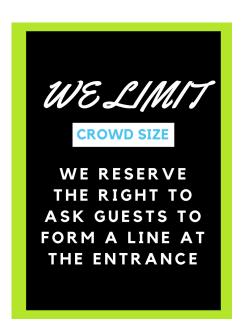
Appendix C



Appendix D



Appendix E



Appendix F

Motice

NO ALCOHOL
WILL BE SERVED
TO PATRONS
UNDER 21
YEARS OF AGE



WE WILL NOT
SERVE
INTOXICATED
PATRONS



NO ALCOHOL BEYOND THIS POINT



NO ALCOHOL BEYOND THIS POINT

Motice

Consumption of Alcoholic Beverages in Designated Locations
Only

WELIMIT

CROWD SIZE

WE RESERVE
THE RIGHT TO
ASK GUESTS TO
FORM A LINE AT
THE ENTRANCE

Examples of Incident Report Forms

T INFORMATION STATE:	DATE OF INCIDENT: ZIP CODE:	
STATE:	ZIP CODE:	
STATE:	ZIP CODE:	
STATE:	ZIP CODE:	
PHO	DNE:	
OR		
	PRECIN	PRECINCT:PHONE:

Examples of Incident Report Forms

ALCOHOL INCIDENT REPORT

www.iSellsafe.com

REPORT DATE

Instructions: Complete an Incident Log for each patron involved. If you see a drunk driver call authorities.

Incident Date

Incident Time

ADDRESS: EMPLOYER: PATRON WAS INJURED (Yes/No): F YES, ON WHAT PART OF BODY: MEDICAL ATTENTION WAS GIVEN (Yes/No): HOSPITALIZATION REQUIRED(Yes/No): WHERE WAS THE PATRON BEFORE YOUR PLACE: EMPLOYEE INFORMATION EMPLOYEE #1. NAME: (First/Middle/Last)	
PHONE NUMBER:	
ADDRESS: EMPLOYER: PATRON WAS INJURED (Yes/No): IF YES, ON WHAT PART OF BODY: MEDICAL ATTENTION WAS GIVEN (Yes/No): HOSPITALIZATION REQUIRED(Yes/No): WHERE WAS THE PATRON BEFORE YOUR PLACE: EMPLOYEE INFORMATION EMPLOYEE #1. NAME: (First/Middle/Last)	
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MEDICAL ATTENTION WAS GIVEN (Yes/No): HOSPITALIZATION REQUIRED(Yes/No): WHERE WAS THE PATRON BEFORE YOUR PLACE: EMPLOYEE INFORMATION EMPLOYEE #1. NAME: (First/Middle/Last)	
WHERE WAS THE PATRON BEFORE YOUR PLACE:	
WHERE WAS THE PATRON BEFORE YOUR PLACE:	
EMPLOYEE #1. NAME: (First/Middle/Last)	
PHONE NUMBER:	
ADDRESS:	
EMPLOYEE #2. NAME: (First/Middle/Last)	
PHONE NUMBER:	
ADDRESS:	
INCIDENT REPORT	
ALCOHOLIC BEVERAGE RELATED INCIDENT (Yes/ No):	
DRINK(S) SERVED (Number and type):	
POLICE WERE NOTIFIED IF YES, BY WHOM:	
WHAT POLICE AGENCY / DATE OF CALL / TIME OF CALL:	
HOW WAS INCIDENT BROUGHT TO YOUR ATTENTION:	
DESCRIBE INCIDENT (Including action you took to prevent or control the incide	nt):
WITNESS INFORMATION	
WITNESS' #1 NAME (First, Middle, Last):	
WITNESS' PHONE NUMBER:	
ADDRESS :	
WITNESS' EMPLOYER:	
WITNESS' #2 NAME (First, Middle, Last):	
WITNESS' PHONE NUMBER:	
ADDRESS:	

PERSON'S TITLE

SIGNATURE OF PERSON MAKING REPORT

References

Ksrevenue.org. "Handbook for Temporary Permits." Temporary Liquor and CMB Permit Handbook - Alcoholic Beverage Control - Kansas Department of Revenue, https://www.ksrevenue.org/abchbtemporarypermits.html#8.

"Home." NHTSA, https://www.nhtsa.gov/.

"Alcohol Facts and Statistics." National Institute on Alcohol Abuse and Alcoholism, U.S. Department of Health and Human Services, https://www.niaaa.nih.gov/publications/brochures-and-fact-sheets/alcohol-facts-and-statistics.

"COMMUNITY FESTIVALS MATERIALS." Alcohol Epidemiology Program, http://www.aep.umn.edu/aep-tools/community-festivals/.