



## ALCOHOL SALES and CONSUMPTION POLICY

### Applicability and Fee

Applicable to **all events** in parks where alcohol is **NOT** prohibited by City Code or administratively, and for where there is a confirmed (paid or approved) reservation or contract for rental, which includes permission (approval) to serve, consume, or sell alcohol. For quick reference, please see the picnic sites/shelters and facility rental areas information available online.

### Areas prohibited by/under CODE Chapter 8 are in summary:

Sales, possession and consumption are prohibited in:

- the enclosed area or within 100 feet of an unenclosed swimming pool in a park;
- a recreation facility or adjacent outdoor area that is part of the recreation facility including a field, playground, parking lot, play slab, or playscape;
- all or part of a park or playground designated by the director as being an area in which the sale, possession, or consumption of alcohol is prohibited;
- the playing area or dugout area of an athletic field; a school district/playground area; or a nature preserve.

**Fee:** For events which require TABC permit processing, a \$30 alcohol permit fee is due to Austin Parks and Recreation at the time of TABC application submission for approval.

### Definitions

**PUBLIC EVENT:** An event is considered **public** if **any** of the following apply:

- a. There is **NOT** a finite and/or limited guest list.
- b. A person of the public may purchase or acquire a ticket for entrance or participation.
- c. A person of the public may attend the event.
- d. Advertised by website, email, print or radio media to the public.

**PRIVATE EVENT:** Events are considered **private** where a limited and finite count of guests is expected. An example would be a wedding, or birthday party, or private reception, which are **NOT** open to the public.

**ALCOHOL SALES:** Whether public or private, for an event where alcohol will be served/sold and admission to the event and service to those of legal age is dependent upon any of the



## OFFICE OF SPECIAL EVENTS

200 South Lamar, Austin, Texas 78704  
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conditions listed below:

- Sale, admission, a ticket, a donation, a donation JAR, membership fee, meal charge, or "tip".
- A TABC permit, liquor liability insurance. If a public event, service area enclosure and a
- licensed peace officer plan is required.

**Alcohol Sales** – For alcohol to be truly "free", it must be available to any adult who walks in the door and requests it. If alcoholic beverages are only available to paying customers, the assumption is that the cost of the alcohol is included in the price of the service. This constitutes a sale of alcoholic beverages, and a TABC permit would be required. When you provide the alcoholic beverage, there cannot be any expectation of receiving money. You cannot ask for a "donation" or "tip." If the drinks will only be available to paying guests, then you will need a permit.

**Some examples:** A wedding reception with free drinks is really free. A boutique that serves free wine while you shop, even if you don't buy anything, is really free. A nail salon with a "free" drink when you pay for a manicure is not really free. If you buy tickets to attend a charity ball and they serve "free" drinks, those are not really free. If a tip jar sits next to a keg of beer expecting "donations," the beer would not be considered free.

### Specific to alcohol service, consumption or sale.....

**RECREATION FACILITY:** A park property owned or operation by the City which is primarily used for recreational activity and is readily available on a daily basis to the public during normal park use hours which either does not have a secured point of entry, or that has not been approved as a designated special event venue. Normal activities conducted at a recreation facility are by example:

- public picnic and recreation use
- budgeted programmed activities for the public (programs)
- accessible daily under normal working conditions for public enjoyment and benefit

For recreation facilities, temporary permits for the sale, consumption or possession of alcohol will not permitted to exceed 48 hours by Code. In general this definition includes all picnic sites, public park areas, and/or facilities **NOT** defined as a special event venue.



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**SPECIAL EVENT VENUE:** A venue with established venue fees intended for the production of events which are closed to the public during approved event hours where alcohol is sold/consumed, or, an identified property not regularly available to the public for reasonably expected recreation use which is locked and/or secured during non-rental periods. Event venues and facilities where first identified by the Parks Board Special Events Policy established in 1998.

Approved special event venues are:

**Special Event Properties**

- Auditorium Shores
- Republic Square Park
- Wooldridge Square Park
- Brush Square Park
- Zilker Park
- Pease Park
- Fiesta Gardens West End
- Walter Long

**Special Event Facilities**

- Commons Ford Ranch House
- Fiesta Gardens Building
- Zilker Club House
- Mayfield Cottage and Gardens

For special event venues, temporary permits for the sale, consumption or possession of alcohol shall not exceed the period approved by the Director in the rental agreement or contract.