Safety Guidelines for Sales of Alcohol at Public Events

A Practical Toolkit for Community & Agency Event Planning Committees

Partners for Prevention in Allegany County

3084 Trapping Brook Rd.
Wellsville, NY 14895
585-593-1920 x721
www.ppaccentral.org

Resource developed by Communities Mobilizing for Change on Alcohol, (CMCA), an active sub-committee of Partners for Prevention in Allegany County. CMCA works collaboratively to implement environmental strategies to reduce the availability of alcohol to underage youth.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Why Alcohol Restrictions are Important</td>
<td>4</td>
</tr>
<tr>
<td>Planning Strategies</td>
<td>5</td>
</tr>
<tr>
<td>Social Host Liability Laws for New York State</td>
<td>6-7</td>
</tr>
<tr>
<td>Understanding Liability</td>
<td>8</td>
</tr>
<tr>
<td>Checking ID’s</td>
<td>9</td>
</tr>
<tr>
<td>Possible Warning Signs that a person is underage</td>
<td>9</td>
</tr>
<tr>
<td>Training for Intervention Procedures (TIPs)</td>
<td>10</td>
</tr>
<tr>
<td>Behavioral Cues for Intoxication</td>
<td>10</td>
</tr>
<tr>
<td>Intoxication Rate Factors</td>
<td>10</td>
</tr>
<tr>
<td>Alcohol Access &amp; Service Best Practices</td>
<td>12</td>
</tr>
<tr>
<td>Event Incident Report Form</td>
<td>13</td>
</tr>
<tr>
<td>Vendor &amp; Staff Agreements</td>
<td>14</td>
</tr>
<tr>
<td>Vendor &amp; Staff Incident Record Form</td>
<td>15</td>
</tr>
<tr>
<td>Decals &amp; Posters</td>
<td>16</td>
</tr>
<tr>
<td>Distributors</td>
<td>16</td>
</tr>
<tr>
<td>Non-Alcoholic &amp; Non-Gambling Fundraising Ideas</td>
<td>17</td>
</tr>
<tr>
<td>Contact Information</td>
<td>18</td>
</tr>
</tbody>
</table>
SAFETY GUIDELINES FOR SALES OF ALCOHOL AT PUBLIC EVENTS

Alcohol restrictions at community events may reduce alcohol-related problems, such as traffic crashes, vandalism, fighting, and other public disturbances. This planning toolkit will assist community planners with safety suggestions that will better ensure a positive community festival and event experience and will help to reduce the availability of alcohol to minors.

Alcohol Restrictions are Important Because:

- Alcohol access to youth could increase by means of direct sales or by adults over 21 buying it for them.
- Intoxicated individuals can access alcohol at festivals and sporting events more often.
- Alcohol use may fuel outbreaks of fighting and other forms of disruptive behavior.
- Alcohol consumption causes other types of disturbances within the community.
- Alcohol consumption increases the risk of alcohol-related harm and drunk driving.¹

PLANNING STRATEGIES

To make a fun and successful event without alcohol-related harm, planners should consider all aspects and potential problem areas that compromise the safety of the individuals attending or not attending the event.

- Utilize “Best Practices for Alcohol Access & Service” check list.
- Discuss and plan prevention strategies that help reduce alcohol-related harm.
- Communicate your policies to vendors and staff and know the items they are providing to patrons.
- Restrict or prohibit alcohol sponsorship for community events.
- Forbid the sale of alcohol at events and locations popular with underage youth.
- Enforce stringent rules for alcohol sales and consumption at events to help reduce youth access. Some examples are:
  - Designate controlled drinking sections at special events where those under 21 are not allowed.
  - Bar vendors, staff, and patrons from bringing alcohol to the event.
  - Require responsible beverage service policies and training for management & staff. In addition, mandate that alcohol servers be at least 21 years of age.
  - Limit the cup size and servings of alcohol per person.
  - Provide alcohol-free days or events as an alternative.
  - Use cups for alcoholic beverages that are easily distinguishable from non-alcoholic beverage cups.
  - Refuse alcohol service at least one hour before closing.
  - Offer food and non-alcoholic drinks for free or at a low cost and provide free water.
- Prohibit open containers in unsupervised public locations.
- Enforce alcohol restrictions vigorously for both public events and public places, maintaining the seriousness of these regulations.
- Develop & implement standard procedures for dealing with intoxicated persons in public areas and at community events.
- Require strict rules & responsible beverage service guidelines for private parties that are held in public.
- Partner with local law enforcement, your local drug free communities coalition, and local business leaders building important alliances that will help improve safety at the event.
- Develop evaluation processes that will identify needed improvements for future events that will maintain a high standards of safety.
New York State has a Social Host Liability Law. This law states that adults who provide alcohol to minors or those who are obviously intoxicated can be held legally liable if the person is killed or injured, or kills or injures another person. There are criminal and civil liabilities each carrying their own set of consequences.

### GENERAL REGULATIONS

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Age to Consume</td>
<td>21</td>
</tr>
<tr>
<td>Age to Pour</td>
<td>18</td>
</tr>
<tr>
<td>DUI/DWI Limit</td>
<td>.08% BAC</td>
</tr>
<tr>
<td>DUI/DWI Limit under 21</td>
<td>.02% BAC</td>
</tr>
<tr>
<td>Maximum alcohol per drink</td>
<td>Not Regulated</td>
</tr>
<tr>
<td>Number of drinks at one time</td>
<td>Not Regulated</td>
</tr>
</tbody>
</table>

**Notes on Server/Seller Training Regs**

New York has a voluntary Responsible Vendor Program that sets standards for licensees to meet in order to be considered a responsible vendor. Licensees who obtain this status can present it as a mitigating factor against penalties for violations by employees. Please consult the New York State Liquor Authority for more details.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Host Liability Laws</td>
<td>Yes</td>
</tr>
<tr>
<td>Server Training Regulated</td>
<td>Yes</td>
</tr>
<tr>
<td>Seller Training Regulated</td>
<td>Yes</td>
</tr>
<tr>
<td>Age to Serve</td>
<td>18</td>
</tr>
<tr>
<td>Dram Shop Liability Laws</td>
<td>Yes</td>
</tr>
<tr>
<td>Age to Sell</td>
<td>18</td>
</tr>
<tr>
<td>Corkage/Merlot Laws</td>
<td></td>
</tr>
</tbody>
</table>

Customers may bring alcoholic beverages into the establishment, with the approval of the licensee, and as long as the alcohol product is covered under the license in effect and the patron removes the unconsumed alcoholic beverage upon departing the licensed premises. Customers may remove one partially consumed bottle of wine from a restaurant provided the bottle is securely resealed and placed in a securely sealed transparent bag designed to be used only once, and a dated receipt is enclosed with the bottle.

**ID & UNDERAGE PERSONS**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Recommended age for carding</td>
<td>None</td>
</tr>
<tr>
<td>Notes on ID Confiscation</td>
<td>Licensees are not authorized to confiscate IDs they recognize as false. Licensees should notify the police or local law enforcement officials and refuse sale.</td>
</tr>
<tr>
<td>Acceptable Forms of ID</td>
<td>A NYS valid driver’s license/ID, federal government, or US territory, commonwealth and District of Columbia. A state government within the US or a provincial government of the dominion of Canada. A valid United States passport or US Armed Forces ID card.</td>
</tr>
</tbody>
</table>
Policies Regarding Underage Persons

It is unlawful to serve or sell alcohol to anyone under the age of 21. Minors under the age of 16 are not permitted in establishments that serve alcohol unless accompanied by a parent or guardian. Minimum Ages for Employment:

**On Premise:**
- Bartender: 18
- Bus Person: 16 (Must be directly supervised by someone 21 or older.)
- Dishwasher: 16 (Must be directly supervised by someone 21 or older.)
- Entertainer: 18 (Except under certain circumstances, contact NYSLA for details.)

**Off Premise:**
- Grocery/Convenience/Drug store clerk/Cashier: 16 (Must be directly supervised by someone 18 or older.)
- Liquor Store Clerk/Cashier: 18

**ID Confiscation Allowed**
No

**INTERIOR/EXTERIOR SIGNAGE**

| Displays and Point of Sale (POS) Advertising | Product displays area allowed if within cost limitations per brand. Inside signs (posters, placards, mechanical devices, window decorations) are allowed with no secondary value and are used only in windows or interior, no payment/credit to retailer may be given, and display should not exceed 1,200 square inches. |

**TASTINGS**

| Consumer Tastings-On Premise | Consumer tastings are not allowed at on-premise establishments. |
| Consumer Tastings-Off Premise | Consumer tastings are allowed at off-premise establishments. Distiller or wholesaler licensee may conduct through official agent present at liquor store. There is a maximum of 3 tastings of .25oz per person per day. Sponsoring distiller or wholesaler subject to Dram Shop Liability. |

**PPAC DISCLAIMER**

This information has been provided to us by the regulating agency and is believed to be correct. However, laws and regulations may change at any time, and the information provided should not be relied upon in place of official documents. For more information or clarification, consult the regulatory body for this jurisdiction directly.

Email: albancounsel@abc.state.ny.us
Contact: Counsel’s Office State Liquor Authority
80 South Swan St. Ste. 900

Albany, NY 12210-8002
Phone: 518-474-6750
Web Address: www.state.ny.us
**MAKING A REASONABLE EFFORT**

It is required by law that a server must make a reasonable effort to prevent intoxication, prevent alcohol sales to minors, and intervene if a guest does become visibly intoxicated. Some examples of reasonable efforts include:

- Provide or offer food
- Make arrangements for alternate transportation
- Refuse to serve an intoxicated guest more alcohol
- Consistently checking proper identifications
- Receive training on responsible beverage service
- Calling the police when in doubt
- Measuring and counting drinks
- Provide water and/or soda at no cost
- Recruit help from the guest’s friends

**WHAT YOU NEED TO KNOW ABOUT LIABILITY**

You could be held liable for service to an underage or already intoxicated patron, whether you’re a server, bartender, manager, or owner at an establishment or concession, grocery or convenience store, and even in the home. Two crucial types of laws apply:

**Negligence**

These laws set a minimum standard for the actions a reasonable person should take to prevent problems. Negligence laws can cover a broad range of situations and are often used to prosecute in cases where alcohol is alleged to be a factor in an incident.

**Dram Shop Liability**

Dram Shop Acts make sellers of alcohol beverages responsible for sales to persons under the legal drinking age or those who are visibly intoxicated. For purposes of these laws, “sale” refers to not only the sale of bottled liquor, but also to the serving of individual drinks at an establishment or concession. These laws are designed to make sellers of alcoholic beverages liable for any harm caused to third-party by a patron to whom they have sold alcohol.
CHECKING IDENTIFICATIONS

All alcohol servers must verify that the person served is of legal age.

Accepted Forms of Identification

1. Valid driver’s license
2. Valid state-issued ID card
3. U.S. active-duty military ID
4. Passport
5. Alien registration card or green card

Unacceptable Forms of Identification

1. Counterfeit IDs
2. Student IDs
3. Altered IDs
4. Borrowed or stolen IDs
5. Expired IDs
6. Order-by-mail IDs

WARNING SIGNS OF PERSONS THAT ARE UNDERAGE

Warning signs that may alert you to a potential underage person:

- Seems nervous and moves around frequently.
- Says that he/she is a regular or a friend of an employee or other server.
- Be out of sight when the group orders for him/her.
- Pick up an empty glass and ask for “another one.”
- Possibly order drinks for a group of people.
- May become agitated when asked for ID.
Behavioral Cues for Intoxication

Inhibitions—becoming talkative, displaying loud behavior or mood swings, or exhibiting a notable change in behavior can all indicate lowered inhibitions.

Judgment—Behaving inappropriately, using foul language, telling off-color jokes, annoying others, becoming overly friendly, or increasing the rate of drinking exhibits poor judgment.

Reactions—Glassy, unfocused eyes, talking and moving very slowly, forgetting things, lighting more than one cigarette, losing their train of thought and slurred speech resulting from a slowed reactions.

Coordination—Stumbling or swaying, dropping belongings and having trouble picking up a drink can indicate a loss of coordination.

Intoxication Rate Factors

Size—Smaller people are sometimes affected more quickly by alcohol than larger people. However, larger people with a high percentage of body fat can also become intoxicated faster.

Gender—Women are generally smaller than men, have more body fat, and tend to reach higher BACs more quickly.

Rate of Consumption—Gulping drinks and ordering frequently will increase the amount of alcohol taken into the system.

Strength of Drink—Drinks of different types have varied effects based on their content.

Drug Use—Legal or illegal drugs can speed up the effects of alcohol and have an unpredictable outcome.

Food—A full stomach before or during drinking slows the absorption of alcohol into the bloodstream.
BEWARE
WE CHECK IDs

LEGAL LIMIT FOR DRIVING WHILE INTOXICATED

.08% Blood Alcohol Content (BAC)

Having a high tolerance has NO impact on BAC levels.
# ALCOHOL ACCESS & SERVICE BEST PRACTICES

## SERVER GUIDELINES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>停止酒精服务在活动计划结束前一小时。</td>
<td></td>
</tr>
<tr>
<td>验证年龄和ID的真实性。</td>
<td></td>
</tr>
<tr>
<td>限制每人的每次购买服务的数量。 (一个ID，一到两瓶啤酒。)</td>
<td></td>
</tr>
<tr>
<td>绝对禁止向明显醉酒的人销售酒精。</td>
<td></td>
</tr>
<tr>
<td>所有服务人员将被要求接受 Responsible Beverage Sales and Service training。</td>
<td></td>
</tr>
<tr>
<td>服务人员和供应商不应被允许在规定的时间内消费含酒精的饮料。</td>
<td></td>
</tr>
<tr>
<td>将啤酒服务尺寸减少到12oz：限酒杯尺寸为12盎司啤酒和葡萄酒冷却器以及5盎司葡萄酒。</td>
<td></td>
</tr>
</tbody>
</table>

## MONITOR GUIDELINES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>在指定的饮酒入口/出口处安排安全/志愿者，以执行规则和法规。</td>
<td></td>
</tr>
<tr>
<td>在所有区域进行随机ID检查，这只能由赛事主办方指定的工作人员进行。</td>
<td></td>
</tr>
</tbody>
</table>

## SERVICE AREA GUIDELINES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>限制所有酒精的可获得性和消费量到一个指定的区域。</td>
<td></td>
</tr>
<tr>
<td>在指定的时间内不提供酒精。</td>
<td></td>
</tr>
<tr>
<td>如果从外面带入的任何酒精，只能在指定的区域内被消费。</td>
<td></td>
</tr>
</tbody>
</table>

## CONSUMER GUIDELINES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>所有21岁以上的人将被要求佩戴塑料不可转让的腕带。</td>
<td></td>
</tr>
<tr>
<td>发现为21岁以下的人购买酒精的人将被起诉并被驱逐。</td>
<td></td>
</tr>
<tr>
<td>21岁以下的人将不允许进入指定的酒精服务区域。</td>
<td></td>
</tr>
</tbody>
</table>

## SPONSOR GUIDELINES

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>提供现场医疗工作人员。这几乎总是由保险公司要求的。</td>
<td></td>
</tr>
<tr>
<td>进行酒精购买尝试。</td>
<td></td>
</tr>
<tr>
<td>收集由警方和紧急工作人员可能被召唤的服务期间的完整事件报告。</td>
<td></td>
</tr>
<tr>
<td>张贴酒精政策并确保其一致执行。 “21岁以下的人将不会被服务。”</td>
<td></td>
</tr>
</tbody>
</table>
### EVENT INCIDENT REPORTS

<table>
<thead>
<tr>
<th>Event Name:</th>
<th>Event Address:</th>
<th>Event Date:</th>
<th>Event Contact Information:</th>
</tr>
</thead>
</table>

### CALLS FOR SERVICE

- Disorderly Conduct
- Harassment
- Underage Drinking
- Drug Sales/Use
- Sexual Assault
- Violence
- Endangering the welfare of a child
- Unlawful dealing with a minor
- Other

<table>
<thead>
<tr>
<th>Date/Time/Location:</th>
<th>Narrative:</th>
</tr>
</thead>
</table>

### Event Name:

<table>
<thead>
<tr>
<th>Event Address:</th>
<th>Event Date:</th>
<th>Event Contact Information:</th>
</tr>
</thead>
</table>

### CALLS FOR SERVICE

- Disorderly Conduct
- Harassment
- Underage Drinking
- Drug Sales/Use
- Sexual Assault
- Violence
- Endangering the welfare of a child
- Unlawful dealing with a minor
- Other

<table>
<thead>
<tr>
<th>Date/Time/Location:</th>
<th>Narrative:</th>
</tr>
</thead>
</table>
How to Enforce Your Alcohol Policies

- **Provide** copies of policies to all staff and volunteers before their first shift.

- **Train** your staff/volunteers on the policies. You can explain them, read them out loud, demonstrate them, or use any other method that insures your staff understands how to follow the policies. Training for Intervention Procedures (TIPs), a responsible beverage service training, is available in Allegany County. Please contact Partners for Prevention in Allegany County to schedule training.

- **Document.** Make a record that you gave staff/volunteers the policies and trained them how to implement the policies. Keep the documentation.

- **Enforce the policies.** When your staff member or volunteer is doing a good job, give him or her positive feedback.

- **Follow through.** Your staff’s actions are the real policies of your festival. Only by following through, by monitoring your staff’s performance, will the written policy match the actual practices of staff.

- **Permanence.** Follow procedures to make sure your policies are followed year after year.\(^2\)

---

VENDOR & STAFF INCIDENT REPORT

Date: ___________________________  Time of Day: ___________________________

Server: ___________________________  Manager: ___________________________

Guest Name and Description: __________________________________________________

Non-Alcoholic Drinks Offered: __________  Accepted: ___________________________

Alternate Transportation Offered: __________  Accepted: _______________________

Description of Incident: _________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Intervention Strategies Used: __________________________________________________
____________________________________________________________________________

Other Witnesses: ______________________________________________________________

Signatures: ___________________________  ___________________________

Phone Number: ___________________________  ___________________________

Incident Follow Up

How was this incident handled by the server? _______________________________________
____________________________________________________________________________

Were policies followed? Yes No: Explanations: ______________________________________
____________________________________________________________________________

Incident Resolution: _____________________________________________________________
____________________________________________________________________________
DECALS & POSTERS

It is important to communicate your policies to your staff as well as the public-at-large. Displaying bright and easy to read decals, posters, and other resources can decrease incidences of serving alcohol to young people. If they know you are watching and following the rules, then most likely they will too!

PLASTIC CUP DISTRIBUTORS FOR COMMUNITY FESTIVALS

4 Imprint
www.4imprint.com
877-446-7746

Litin Party-n-Paper
www.4partypaper.com
888-343-4303

The Discount Printer
www.thediscountprinter.com

Office World
www.officeworld.com
877-816-8767

WRISTBAND DISTRIBUTORS FOR COMMUNITY FESTIVALS

MedTech Wristbands
800-361-1259
7380 Sand Lake Road, 5th Floor
Orlando, FL 32819
www.medtechgroup.com

Tornado Wristbands
888-884-5523
931 Leathorne Suite A
London, Ontario
N5Z 3M7
www.tornadowristbands.com

National Ticket Company
800-829-0829
P.O. Box 547
Shamokin, PA 17872
www.nationalticket.com

Creative Media Services
877-893-4237
PO Box 218
Edgerton, Kansas 66021-0218
www.creative-bands.com
NON-ALCOHOLIC AND NON-GAMBLING FUNDRAISING IDEAS

Consider providing the community with family-friendly community fundraisers without alcohol. Alcohol has the potential of creating problems and putting your event, organization, and community at risk. Non-alcohol events help to reduce alcohol-related harm not to mention reduces the access of alcohol to underage teens. PPAC partners put together the following list of potential fundraising strategies that are safe and community-friendly.

- Game night/board games
- Golf
- Bowling
- Roller skating
- Card game tournaments (non-betting)
- Coupon books
- Ice cream social
- Car wash
- Barbeque sales
- Made to order pizza
- Hawaiian luau
- Beach party
- Costume party
- Theme parties
- Silent auction
- Chinese auction
- Trivia contest/jeopardy
- Frisbee golf tournament
- Flag football tournament
- Other sports-related marathons
- Bake sale
- Petting zoo
- Candy bar sale
- Carnival
- Jail bird/bond fundraisers
- Putt-putt golf competition
- Mystery theater dinner- murder mystery, like clue
- Spaghetti dinner nights
- Decorative/scented candles sale
- Art shows and events
- Shave heads/funny hair cuts
CONTACT INFORMATION

For more information, or if you would like to sign up for the official TIPs Training offered for free to festival planners and planning committees, contact:

Partners for Prevention in Allegany County
585-593-1920 x721 or go to our website at www.ppaccentral.org.
Registration forms are available online.

This resource was developed by Communities Mobilizing for Change on Alcohol (CMCA), a sub-committee of Partners for Prevention in Allegany County. CMCA seeks to implement environmental strategies to reduce the availability of alcohol to underage youth.

Contributing Members:

**Allegany County Youth Bureau & STOP/DWI**
Linda Edwards, MSED, Executive Director

**Allegany Council on Alcoholism and Substance Abuse**
Ann Weaver, LMSW, Community Educator
Josh Hyde, BS, Gambling Prevention Coordinator
Tim Lyon, MSED, Reality Check Coordinator

**Allegany County Youth Court**
Jessica Jennings, BA, Youth Court Coordinator

**Allegany County Department of Social Services**
Vicki Grant, MSW, Commissioner

**Belmont Police Department**
Chris Finnemore, Chief

**Jones Memorial Hospital**
Katie Mills, RN
Nancy Saupe, RN

**Southern Tier Youth for Christ**
Keith Chase, Executive Director

**Partners for Prevention in Allegany County**
Shawnee Bigelow, MBA, Coalition Coordinator

~ 18 ~