



General Information for an Application for a Special Permit for Use, Consumption, and Display of Wine and Beer in a Crystal City Park or City Facility

You have requested information about a special permit to serve wine or beer in a Crystal City Park or at the Crystal Community Center. Here is some basic information.

1. **Do this first! Crystal Community Center** (4800 Douglas Drive North)
Stop by or call the Recreation Department (763-531-0052) to reserve the Crystal Community Center or a Crystal City Park.
2. **Application Form/Insurance Certificate**
Fill out the attached application form. If you are a business partnership, club, corporation, or non-profit association, attach a *Certificate of Insurance*. If you are a homeowner, attach a *Certificate of Homeowner's Insurance* and have a representative from your insurance agency fill out and sign page three of the attached application form. (Read the Liability Requirements listed.)
3. **Social Host Liability**
Read Crystal City Code Section 1200.47, regarding social host liability.
4. **Crystal City Hall** (4141 Douglas Drive North)
Stop by City Hall to turn in your completed application with the \$50 fee.
5. **Security Requirements for the Crystal Community Center (CCC) reservations**
If renting the CCC for your event, you must hire one police officer per every 100 guests. Contact the Police Department at 763-531-1033 to arrange this service.
6. **Council Approval**
Council must approve the license before it is issued. Council meetings are typically conducted on the first and third Tuesday of each month.
7. **Questions? Please call:**
Crystal City Clerk 763-531-1145



APPLICATION FOR LICENSE

City of Crystal

4141 Douglas Drive N, Crystal, MN 55422

Telephone: (763) 531-1000 / Facsimile: (763) 531-1188

Deaf and hard of hearing callers may call Minnesota Relay at 711.

PLEASE PRINT CLEARLY

Applicant's Name:	Fee (0100.4115): \$50.00
Home Address:	Home Phone: ()
City/State/Zip:	Cell Phone: ()
Date of Event:	Business Phone: ()
Hours of Use (not to exceed 12 hours): From _____ a.m./p.m. to _____ a.m./p.m.	
Purpose of Event:	
Maximum number of guests expected to attend:	
Name & Address (including zip code) of park or city building where event will be held:	

I enclose the sum of fifty dollars to the City of Crystal as required by the Ordinances of said City and have complied with all the requirements of said Ordinances necessary for obtaining this License.

I hereby make application for a **SPECIAL PERMIT FOR USE, CONSUMPTION, AND DISPLAY OF WINE AND BEER IN A CRYSTAL CITY PARK OR CITY FACILITY** at the above location and at the date/time stated above, subject to all conditions and provisions of said Ordinance.

Liability Requirements

Are you a Business Partnership, Club, Corporation, or Non-Profit Association?

_____ **Yes.** You are required to attach a *certificate of insurance* showing current liability insurance naming the City of Crystal as an additional insured on the date of the event.

_____ **No.** You are required to attach a *certificate of homeowner's insurance* that corresponds to the person signing this application. The certificate must contain a special event endorsement with the date of this event and must name the City of Crystal as additional insured.

Security Requirement (*only for Crystal Community Center reservations*)

Applicants renting a room at the Crystal Community Center (CCC) must hire one police officer per every 100 guests. Officers must be present from the time that you begin serving alcohol to the end of your event. You may contact the Crystal Police Department at (763) 531-1033 to arrange for this security requirement. **Number of police officers needed:** _____.

Social Host Liability

_____ I have received and read Crystal City Code Section 1200.47, Social Host Liability (*attached*).

City Use Only:	Park/CCC reservation made: _____
JDE# _____	Date Entered: _____
PIMS ID# _____	Council Date: _____
(If Council approves application, license to be: _____picked up by applicant / _____mailed to applicant)	

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Liability

The applicant waives any and all claims of any nature against the City and its officers, employees, and agents arising out of the permitted activity. If applicant is a business partnership, club, corporation, or non-profit association, this application must be accompanied by a certificate of insurance showing current liability insurance naming the City as an additional insured party under the insurance policy.

Please Read and Sign

(Crystal City Code, Subsection 815.13)

Subd. 6. Application.

The application for a special permit is prepared by the city clerk. The application must specify the purpose of the social event, the nature of the activity proposed, the hours during which it is to be conducted, the maximum number of persons expected to attend, and such other information as the clerk reasonably requests. The application must be accompanied by an insurance certificate, a bond or other undertaking in form and substance satisfactory to the city manager and city attorney, holding the city and its officers, employees, and agents from liability of any kind arising out of the permitted activity. If the applicant is a business partnership, club, corporation or non-profit association the application must be accompanied by a certificate of insurance showing current liability insurance naming the city as an additional insured party under the insurance policy.

Subd. 8. Special Condition.

The use, consumption and display and presence of liquor and beer in parks and related park facilities is a matter of special concern to the City as such activity relates to the peace and good order of the City. For that reason the issuance of a special permit under this subsection is determined to be a matter within the sole discretion of the City Council, and its determination to issue or not to issue a special permit is final. The Council may impose additional conditions in the granting of a special permit.

I acknowledge that the Liability Clause, Application, and Special Conditions have been read and are understood by me and that I agree not to challenge or in any way contest the determination of the City Council with regard to the issuance of this special permit. I acknowledge that I am responsible to hire police officer(s) for my event at the CCC at my own expense.

Applicant's signature _____ **Date** _____

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Additional Insured – Special Event Endorsement for homeowners only
(Completed by Insurance Company Representative)

Insurance Company: _____

Policy Number: _____

Name Insured: _____

Name of Additional Insured: City of Crystal, 4141 Douglas Drive North, Crystal, MN 55422

Date of Event: _____

Location of Event: _____

Coverage Limit Liability: _____

Coverage period begins and ends at 12:01 a.m. Standard Time at the above-designated location.

Effective Date: _____ Expiration Date: _____

Other information pertinent to this special endorsement: _____

Signature of authorized representative

Date

Phone number of authorized representative

**CRYSTAL CITY CODE SECTION 1200.47,
SOCIAL HOST LIABILITY**

1200.47. (Added, Ord. 2008-3) **Social host liability.** Subdivision 1. **Purpose and findings.** The Crystal city council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Crystal city council finds that:

- (a) Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of 21 are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
- (b) Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.
- (c) Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- (d) Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.
- (e) Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.
- (f) A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

Subd. 2. **Authority.** This subsection is enacted pursuant to Minnesota Statutes, sections 145A.05, subdivision 1 and 340A.509.

Subd. 3. **Definitions.** For purposes of this subsection, the following terms have the following meanings:

- (a) **Alcohol.** “Alcohol” means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
- (b) **Alcoholic beverage.** “Alcoholic beverage” means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- (c) **Event or gathering.** “Event or gathering” means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- (d) **Host.** “Host” means to aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event.
- (e) **Parent.** “Parent” means any person having legal custody of a juvenile:
 - (1) As natural, adoptive parent, or step-parent;

- (2) As a legal guardian; or
- (3) As a person to whom legal custody has been given by order of the court.
- (f) Person. “Person” means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.
- (g) Residence or premises. “Residence” or “premises” means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
- (h) Underage Person. “Underage person” is an individual under 21 years of age.

Subd. 4. **Prohibited Acts**.

- (a) It is unlawful for any person(s) to;

Host an event or gathering:

At any residence, premises, or on any other private or public property;

Where alcohol or alcoholic beverages are present;

When the person knows or reasonably should know that an underage person will or does

(i) consume any alcohol or alcoholic beverage; or

(ii) possess any alcohol or alcoholic beverage with the intent to consume it; and

The person fails to take reasonable steps to prevent possession or consumption by the underage person(s).

Possession by a person under the age of 21 at a place other than the household of a parent or guardian creates a rebuttable presumption of intent to consume it. This presumption may be rebutted by a preponderance of the evidence.

- (b) A person is criminally responsible for violating subdivision 4(a) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.
- (c) A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible.

Subd. 5. **Exceptions**.

- (a) This subsection does not apply to conduct solely between an underage person and their parents while present in the parent’s household.
- (b) This section does not apply to legally protected religious observances.
- (c) This section does not apply to retail intoxicating liquor or 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minnesota Statutes, section 340A.503, subdivision 1(a)(1).
- (d) This subsection does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Subd 6. **Severability**. If any section, subsection, sentence, clause, phrase, word, or other portion of this subsection is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any

court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

Subd. 7. **Penalty**. Violation of subdivision 4 is a misdemeanor.

Subd. 8. **Effective date**. This subsection shall take effect 30 days following its final passage and adoption.