



STAFF REPORT

DATE: January 12, 2023

TO: The Honorable Mayor and City Council

FROM: Sandra Llewellyn, Economic Development Coordinator and Jackie Nostrom, City Recorder

SUBJECT: Approval of a single event permit Local Consent for Levy Restaurants to be issued and regulated by the Utah Department of Alcoholic Beverage Control

RECOMMENDATION:

Approval of a resolution to grant a single event permit local consent to Levy Restaurants to sell wine at the Utah Warriors Rugby home games.

ISSUE BEFORE COUNCIL:

Does the City Council want to approve a resolution to grant a single event permit local consent to Levy Restaurants to sell wine at the Utah Warriors Rugby home games?

BACKGROUND/SUMMARY:

Levy Restaurants currently holds a liquor license to sell beer. They are seeking approval to obtain a single event permit to sell wine at the Utah Warriors Rugby home games in a separate location from the beer sales held on the following dates: February 25, 2023, March 25, 2023, March 31, 2023, April 15, 2023, May 6, 2023, May 20, 2023, May 27, 2023 and June 10, 2023.

Utah State Code requires local consent for all "single event permit" licenses issued and regulated by the State Department of Alcoholic Beverage Control (DABC).

DISCUSSION:

32B-9-303. Director's power to issue single event permit.

- (1), Before a person may sell, offer for sale, or furnish liquor at retail for on-premise consumption at an event, the person shall first obtain a single event permit from the director in accordance with this part.
- (2), (a), Subject to Subsection (5), the director may issue a single event permit to any of the following that is conducting a convention, civic, or community enterprise, a bona fide:
 - (i), partnership;
 - (ii), corporation;

(iii), limited liability company;
(iv), religious organization;
(v), political organization;
(vi), incorporated association;
(vii), recognized subordinate lodge, chapter, or other local unit of an entity described in this Subsection (2)(a);
(viii), state agency; or
(ix), political subdivision of the state.

(b), The director may not issue a single event permit to an entity that has not been in existence as a bona fide entity for at least one year before the day on which the entity applies for a single event permit.

(3), (a), A single event permit may authorize:

(i), the storage, sale, offering for sale, furnishing, and consumption of liquor at an event at which the storage, sale, offering for sale, furnishing, or consumption of liquor is otherwise prohibited by this title under either:

(A), a 120 hour single event permit; or

(B), a 72 hour single event permit; and

(ii), the storage, sale, offer for sale, furnishing, and consumption of beer at the same event for the period that the storage, sale, offer for sale, furnishing, or consumption of liquor is authorized under Subsection (3)(a)(i) for the single event permit.

(b), The single event permit shall state in writing whether the single event permit is:

(i), a 120 hour single event permit; or

(ii), a 72 hour single event permit.

(4), The director may not issue more than:

(a), four single event permits in any one calendar year to the same person listed in Subsection (2) if one or more of the single event permits is a 120 hour single event permit; or

(b), 24 single event permits in any one calendar year to the same person listed in Subsection (2) if each of the single event permits issued to that person is a 72 hour single event permit.

(5), Before the director issues or denies the issuance of a single event permit under this section, the director shall comply with Section 32B-9-202.

ALTERNATIVES:

The Council could determine not to grant local consent for the single event permit.

FISCAL IMPACT:

There is no fiscal impact in granting local consent.

ATTACHMENTS:

Single Event Permit Application
Resolution