

## **HEBER CITY COUNCIL**

Date: August 19, 2013

Staff Report by: Anthony L. Kohler

Item: Catholic Church Single Event Alcohol License

The Catholic Church is requesting local consent for a single event alcohol license on September 14, 2013 from about 11 am to 6 pm. The event will be held at 5 South 100 West, outside in the back between the church and Summit Engineering's building. Section 5.08.060 (I) of the code permits the City to grant local consent for this event, and this event can be held within a church. The Department of Alcoholic Beverage Control indicated that approximately 30% of the applicants for this type of license are churches. The only proximity requirement is that the single event be located at least 150 feet from the nearest playground, and the event is much further than 150 feet from the City Park.

If local consent is granted, the petitioner will need:

1. A \$2,000 surety or cash bond posted to the City
2. Approval by the Utah State DABC
3. Background check.

### **Section 5.08.060 I "Single Event Permits"**

#### **I. Single Event Permits.**

1. A Single Event Permit shall entitle a bona fide corporation, church, political organization, or incorporated association or a subordinate lodge, chapter, or other local unit thereof that is conducting a convention, civic, or community enterprise to sell beer at such event.

2. Single Event Permits may not exceed 72 consecutive hours (three days).

3. No more than four (4) Single Event Beer Permits may be granted to any entity in one calendar year.

4. The Single Event shall comply with Heber City Code, Chapter 5.06 "Mass Gatherings".

5. The application for the Single Event shall specify the days of operation and the location of the alcohol sales.

6. A variance to the current provisions of Sections 5.08.050, 5.08.060 and Chapter 9.44 of the Heber City Code may be granted by the City Council for a Single Event, upon compliance with the following, and the City Council making the following findings:

a. The proposed Single Event's location does not front upon the same side of the street, share access or parking with, or adjoin property lines with a church, school, library, or playground;

b. The proposed Single Event does not pose a threat to the health, peace, safety, and welfare of surrounding land uses;

c. The proposed Single Event will not create an undue concentration of alcohol dispensing establishments;

d. The proposed Single Event will not create an undue burden in controlling and policing illegal activities in the vicinity;

- e. The proposed Single Event will not create a nuisance to the community;
- f. The proposed Single Event provides a significant revenue benefit to the community;
- g. The proposed Single Event shall comply in all provisions and restrictions contained in Title 32 A, Chapter 12 of the "Alcoholic Beverage Control Act", Utah Code Annotated;
- h. No outdoor Single Event shall continue after 11:00 p.m., unless such Event is located in a Public Park, in such case, the Event shall not continue after 9:00 p.m.
- i. The proposed Single Event shall comply with all provisions of Section 5.08.060 (I) (7) Beer Garden in Public Parks, Limited;
- j. The application for a Single Event must have been in existence as a bona fide organization for at least one year prior to the date of application;
- k. The proposed Single Event must be at least 150 feet from any public playground, measured in a straight line from the nearest entrance of the boundaries of the specific playground sandlot.



**HEBER CITY CORPORATION  
BUSINESS LICENSE DIVISION**  
75 North Main, Heber City, Utah 84032  
(435) 654-4830

**APPLICATION for LOCAL CONSENT:  
BEER, WINE AND ALCOHOL ESTABLISHMENTS**

To appear before the City Council, please file this application with the City Recorder's Office.

A. **Business Name** St Lawrence Catholic Church

Proposed local business address: 5 South 100 West, Heber

B. **Ownership Type:**  Corporation  Partnership  Proprietorship  LLC

If Corporation list Corp. name Church

(Attach a copy of Certificate of Incorporation)

C. **Information on:**  President  General Partner  Sole Proprietor

Name N/A Home Phone \_\_\_\_\_

Home Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

(Street Number) (City) (State) (Zip)

D. **Information on:**  Local Manager  Partner  Representative Responsible for Business

Name Joseph Donbeck Home Phone 435-503-0318

Home Address 510 Valley Dr. Heber

Mailing Address Same

(Street Number) (City) (State) (Zip)

Date of Birth 4/26/1953 Place of Birth Cornwall NY

*A Bureau of Identification criminal background check may be required for each local manager as part of the application approval process*

E. **Give a brief description of the proposed establishment and alcohol license requested, and check the appropriate box or boxes.**

St Lawrence Fall Festival

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Restaurant License                  | <input type="checkbox"/> Limited Restaurant License             | <input type="checkbox"/> Off-premise Beer Retailer's License |
| <input type="checkbox"/> Tavern License                      | <input type="checkbox"/> Private Club License                   | <input type="checkbox"/> State Store                         |
| <input type="checkbox"/> Package Agency                      | <input type="checkbox"/> On-premise Banquet License             | <input type="checkbox"/> Special Use Permit                  |
| <input checked="" type="checkbox"/> Single Event Permit      | <input type="checkbox"/> Manufacturers and Wholesale Facilities | <input type="checkbox"/> Liquor Warehousing License          |
| <input type="checkbox"/> Temporary Special Event Beer Permit |   | <input type="checkbox"/> On-premise Beer Retailer License    |

F. **Attach a copy of a plat map from the County Recorder's office showing the proposed facility, as well as all other properties within 500 feet of the proposed facility.**

G. **Attach a certified Bureau of Criminal Identification background check of the applicant current within 30 days.**

**H. Verification of Accuracy - Acknowledgment of Responsibility**

I hereby consent to grant an irrevocable license to the City permitting any authorized representative of the City or any law enforcement officer unrestricted right to enter and inspect the premises. I verify by oath that I am the executive officer or the person specifically authorized by the corporation, business or association to sign this application, and have attached written evidence of said authority.

[Signature]  
Authorized Business Owner

2013-08-17  
Date

## 2013 Heber City Primary Results

	Early Voting Combined 20, 21, 22, 23, 24.1	Combined Precincts 20, 21, 22, 23, 24.1	Early Voting Combined 10, 11, 12, 13, 14	Combined Precincts 10, 11, 12, 13, 14	Early Voting Combined 31.1, 40, 41, 42.1	Combined Precincts 31.1, 40, 41, 42.1	TOTAL
J. Chenworth	20	89	6	24	3	5	147
M. Thurber	3	14	4	22	9	28	80
H. Franco	22	160	8	59	4	26	279
K. Potter	14	110	22	108	12	27	293
A. Wardell	10	39	2	21	3	15	90
R. Hopkins	22	228	10	39	8	26	333
D. Goode	21	47	16	61	6	25	176
<b>TOTAL</b>	112	687	68	334	45	152	1398

Note: Absentee and Provisional ballots received after August 13, 2013 not included in these totals