

Editor's note: Ordinance No. 95-13, adopted March 14, 1995, did not specifically amend this code; hence, inclusion as § 25 1/2-11 was at the discretion of the editor.

Sec. 25 1/2-12. Alcoholic beverages in county parks.

(a) *Purpose.* The purpose of this section is to establish a County policy related to the sale and consumption of alcoholic beverages in Broward County parks.

(b) *Definitions.*

(1) *Alcoholic beverage:* means any beverage containing an intoxicant or inebriant, including beer, wine, or liquor.

(2) *Intoxicated* means to become stupefied, stimulated, or excited by action of a chemical substance, such as drinking an alcoholic beverage.

(3) *Liquor:* means an alcoholic beverage other than beer and/or wine.

(4) *Parks and Recreation Director:* means the Director of the Broward County Parks and Recreation Division or the Director's designee(s).

(5) *Special Event Permit:* means an agreement between the special event promoter and Broward County, which may be in the form of a Parks and Recreation Division Facility Use Permit or Specific Use Permit.

(c) *Policy.*

(1) *Beer and/or wine.* Beer and/or wine are permitted in Broward County parks, in designated areas, for personal consumption only. The sale of beer and/or wine within Broward County parks requires a Special Event Permit.

(2) *Liquor.* The sale and/or consumption of liquor is prohibited in Broward County parks, except during special events at the main event field complex at Central Broward Regional Park which have been approved by the Board of County Commissioners and a Special Event Permit has been issued. Liquor purchased and consumed at a Board-approved special event must be within the confines of the main event field complex at Central Broward Regional Park.

(d) *Procedures.*

(1) *Sale (Concession) of Alcoholic Beverages.*

a. *Parks.* The sale of beer and/or wine during a special event at any Broward County park shall be subject to prior approval of the Parks and Recreation Division Director or the Director's designee(s).

b. *Central Broward Regional Park.* The sale of liquor at a special event within the main event field complex at Central Broward Regional Park shall be subject to prior approval by the Board of County Commissioners. Sale locations shall be limited to the designated concession areas within the main event field complex.

c. *Prohibition.* The sale of alcoholic beverages shall be prohibited during any special event intended for children (under age 21), as determined by the Parks and Recreation Director.

d. *Indemnification.* For special events where the sale and/or consumption of alcoholic beverages is permitted pursuant to (1)a. and (1)b. above, an entity authorized to sell alcoholic beverages during the special event shall be required to indemnify and hold harmless the County, its officers, agents, employees and volunteers, from any and all claims for liability arising directly or indirectly out of the sale or consumption of alcoholic beverages during that special event. Insurance acceptable to County's Risk Manager shall be required to cover the indemnification obligation.

e. *Insurance.* An entity authorized to sell alcoholic beverages at a special event shall provide the Broward County Parks and Recreation Division with a Certificate of Liability Insurance, including additional coverage for serving any alcoholic beverages at the event. The Broward County Board of County Commissioners shall be named as an additional insured on the required insurance policy. The insurance policy requirements will be determined by Broward County's Risk Manager on a case-by-case basis. Proof of such insurance coverage shall be

furnished to the Parks and Recreation Division and approved by the County's Risk Manager prior to a Special Event Permit being issued.

f. *Alcoholic Beverage Service Plan.* At sites other than the main event field complex at Central Broward Regional Park, the special event promoter shall provide the Parks and Recreation Division, by the date specified in the Special Event Permit, with an Alcoholic Beverage Service Plan, which includes a map showing all service areas within the special event area and a list of dates and times that alcoholic beverages will be served.

g. *Licenses/Permits.* An entity authorized to sell alcoholic beverages during a special event is required to provide the Parks and Recreation Division, by the date specified in the Special Event Permit, with a copy of its approved State of Florida license or permit authorizing the sale of alcoholic beverages.

h. *Requirements for sale of alcoholic beverages.*

1. *Central Broward Regional Park.* For Board-approved special events at the main event field complex at Central Broward Regional Park, the entity authorized to sell alcoholic beverages at the special event shall be responsible for providing uniformed police or security officers at locations where alcoholic beverages will be sold and at the entrances and exits to the main event field complex. The entity shall require that the police or security officers monitor the entrances and exits to ensure that alcoholic beverages are not brought into or taken out of the main event field complex. Police or security officers shall be authorized to prohibit the sale of alcoholic beverages to any person that appears intoxicated. Such person may also be ordered by police or security officers to immediately leave the premises.

2. *Training.* Persons serving alcoholic beverages to the public shall be properly trained in such service. Sales vendors issued a State of Florida license to sell alcoholic beverages shall ensure that event staff are properly trained to serve alcoholic beverages in accordance with the Florida Responsible Vendor Act, Sections 561.701 through 706, Florida Statutes, as may be amended from time to time. Where the special event promoter is a non-profit organization issued a State of Florida one (1), two (2), or three (3) day permit to sell alcoholic beverages, the special event promoter shall ensure that event staff serving alcoholic beverages are trained as to the legal requirements for the sale of alcoholic beverages in Florida (e.g., acceptable forms of identification).

3. *Servers.*

a. Special event staff serving alcoholic beverages shall not consume alcoholic beverages immediately before, during, or following the special event. Any server violating this policy shall be immediately dismissed by the special event promoter and immediately ordered to leave the premises. If the special event promoter orders a server who appears intoxicated to leave the premises, the special event promoter shall ensure that the person is not driving.

b. Servers shall be responsible, at the time an alcoholic beverage is requested, for verifying that the person making the request is of legal drinking age as required by law. If, for any reason, picture identification evidencing proof of legal drinking age cannot be provided upon request, alcoholic beverage service shall be denied.

c. Servers shall refuse to serve an alcoholic beverage to any person who appears intoxicated.

4. *Signage.* Signs shall be posted at the special event notifying the public that all persons must be of legal drinking age to purchase and/or consume alcoholic beverages at the special event. Signs shall be posted notifying the public that purchases of alcoholic beverages are limited to two (2) drinks per person per transaction, and that servers reserve the right to refuse service to any person who appears intoxicated.

5. *Cessation of sales.* The sale of alcoholic beverages shall cease at least one (1) hour before the official end of the special event as specified in the Special Event Permit.

(Ord. No. 2007-13, 6-5-07)

Secs. 25 1/2-13--25 1/2-19. Reserved.