

# **FCPA ALCOHOL POLICY & PROCEDURES**

## **Review & Recommendations**

**Committee of the Whole**  
**May 23, 2018**

# Policy Development Objective

- Address a growing number of community requests
- Compete in local market for events
- Standardize Approach
- Improve response time to customer
- Maximize use of our assets
- Revenue potential through events and programming
- Visit Fairfax support
- Large Special Events

# Current Programmatic Approach

- Approved Rental Sites (HPRS, RECenters, Frying Pan)
  - FCPA Permission required: \$200 per event
  - Customer purchases and serves
  - ABC permit may be required
  - Collect Business Activity License fee (15%) for any sales
- Golf partnership with PublicLinks to allow for flexibility in products and pricing
- Large Special Events (est. 2016)
- Programmatic offerings
  - Park Services has successfully offered Tours to wineries
- Summer Concert Series
  - Wine tastings at Government Center concert series past 3 years
  - Will introduce at Arrowbrook Park in 2018

# Policy Purpose

**Purpose:** The purpose of this policy is to protect the safety of park visitors at events and activities that involve alcoholic beverages on park lands and at park facilities. The policy provides the approach for serving, selling, consuming, or possessing alcoholic beverages on Park Authority (PA) property.

# Review of Laws and Policies

- Park Authority Specific
  - **Policy:** Only restrict alcoholic beverages as they relate to sponsorships
  - **Regulations:** Alcohol is not specifically addressed
  - **Rules:** Not permitted on park grounds or in Park Authority buildings without a pre-approved permit in accordance with Virginia state law.
- Fairfax County Government Alcohol Policy: Park Authority is exempt
- Fairfax County Codes: Section 5-1-25. - It shall be unlawful for any person to possess an open alcoholic container while in a public park, playground, or on a public street;
  - Does not apply to Park Authority permitted events.
- Code of Virginia: Alcoholic Beverage Control Act: §4.1-308: Drinking alcoholic beverages, or offering to another, in public place; penalty; exceptions
  - This section shall not prevent any person from drinking alcoholic beverages or offering a drink thereof to another in any room or area...for which a banquet license or mixed beverage special events license has been granted.

# Outreach

- Fairfax County Police Department
  - Will support Park Authority permits, no additional concerns
- Fairfax County Risk Management
  - Provided guidance on insurance requirements, no additional concerns
- Fairfax County Attorney's Office
  - Attended meeting with Risk Management, FCPD, and VABC
  - Reviewed draft policy, no concerns
- Virginia Department of Alcoholic Beverage Control
  - Reviewed draft policy, no concerns

# Background Research

## Benchmarking Survey

<u>Local County:</u>	<u>Local Non-County :</u>	<u>Non-Local Park and Recreation:</u>
County Government Policy Reston Community Center McLean Community Center	City of Fairfax County Town of Herndon Town of Leesburg Loudoun County Reston Association Town of Vienna Northern Virginia Regional Park Authority Arlington County City of Alexandria	Baton Rouge, LA Charleston, SC Boise City, IO Long Beach, CA DeKalb, GA Denver, CO Johnson Co, KS San Diego, CA Seattle, WA Spokane, WA Boulder, CO

- Took commonalities from survey and built our policy to be consistent with them

# Details of local jurisdictions

Jurisdiction	Alcohol Policy	Public Use on Agency Property	Agency Sponsored Activities	Customer May Sell
Town of Herndon	Y	Y	N	Y (Non-profits Only)
City of Fairfax	N – Special Events	Y	Y	Y
NOVA Parks	Y	Y	Y	N
Loudoun County	Y	Y	N	
Prince William County	N	Y	Y	Y

# Proposed FCPA Alcohol Policy

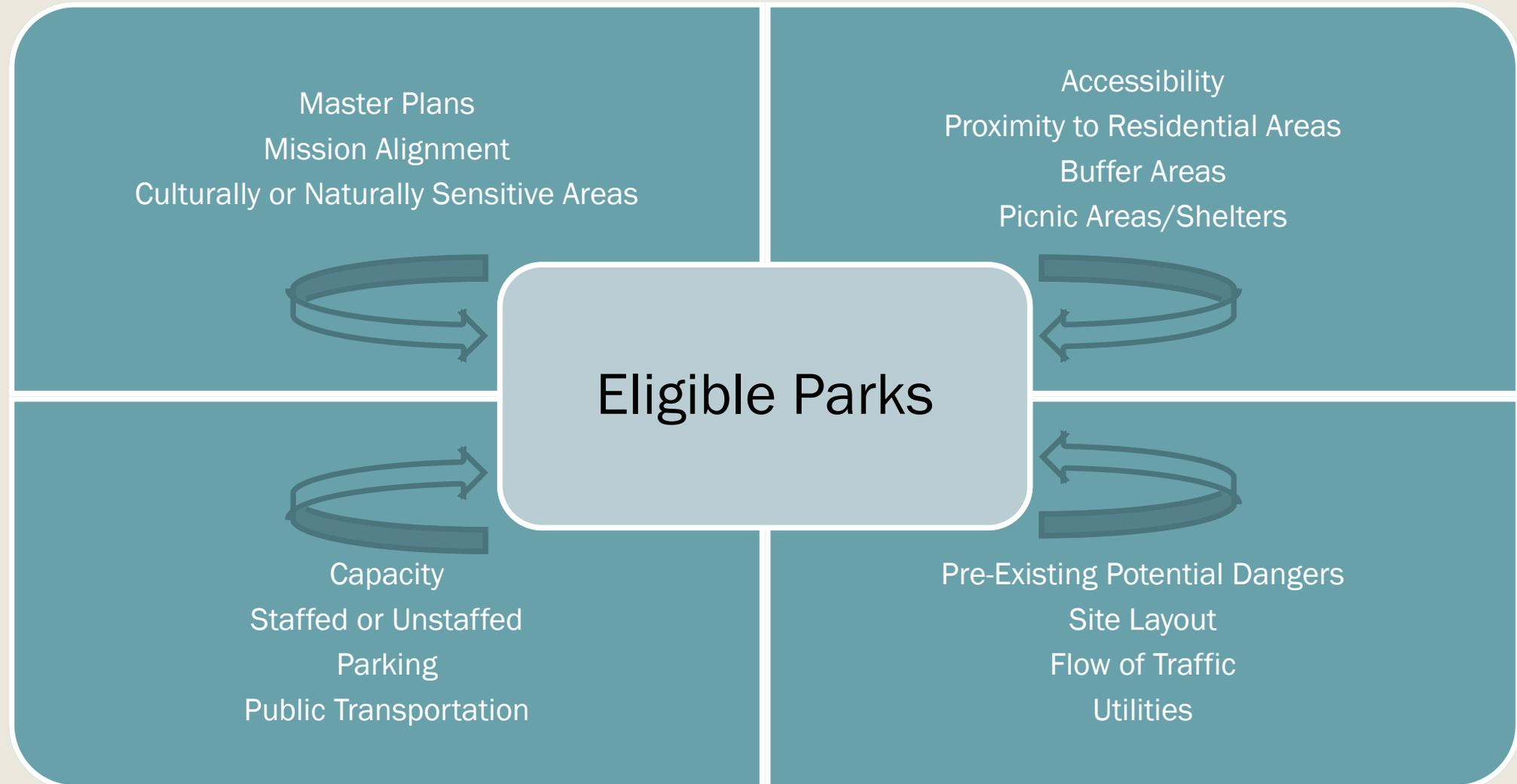
- Alcoholic beverages are **prohibited** in all parks **unless** they are part of a Park Authority program or an approved use pursuant to a permit issued by the Park Authority.
- Define conditions that apply to...
  - **Serving:** ... prevent unauthorized access into the designated area... may be required to employ security and/or police to ensure public safety and compliance with applicable law
  - **Selling:** Alcoholic beverages are prohibited...unless ...part of a PA program or an approved use pursuant to a permit issued by the PA and implemented in strict accordance with the Virginia Alcoholic Beverages Control Act.
  - **Consuming:** The applicant...must be present ...during the times and dates specified in the PA Alcoholic Beverage Use permit application... must ensure that no person under the age of 21 will use, consume or possess any alcoholic beverages
  - **Possessing:** ...allowable only in the designated areas at the parks and facilities listed on the Alcohol Policy Park and Facility Listing  
...alcoholic beverages on Park Authority property.

# Proposed FCPA Alcohol Policy

## Key Policy Elements:

- Implemented in strict accordance with the VABC
- Permit required
- Alcoholic beverages only in the designated areas
  - Alcohol Policy Park and Facility Listing
- Responsibility for serving
  - The applicant, host, or event sponsor must be present... must ensure that no person under the age of 21 will use, consume or possess any alcoholic beverages.
- Access control and security
- Public notification
  - PA programs and special events with alcoholic beverages will be advertised as such, held in designated areas, and follow Alcoholic Beverage Control Act requirements and PA procedures.

# Factors Considered



# Procedures – Purpose

**Purpose:** To provide staff guidelines to protect the safety of park visitors at events and activities that involve alcoholic beverages on park lands and at park facilities.

## **Two separate SOP's:**

1. Public Alcoholic Beverage Use on Park Authority Property
2. Use of Alcohol in Park Authority Sponsored or Hosted Activities

## **Additional Supporting Documents:**

1. Parks and Facilities Listing
2. FAQ: What do I need to do to have alcohol at a Fairfax County Park Authority park?
3. FCPA Alcohol Insurance Requirements

# Procedures – Detailed Description

## Public Alcoholic Beverage Use on Park Authority Property

- General Guidelines
  - Must be approved in advance
  - Must be in designated area as listed on the Parks and Facilities Listing
- Agreement Process and Timing
- Hours of Service
- Designated areas of alcoholic consumption, sales and/or possession
- Virginia Alcoholic Beverage Control (VABC) License Requirements
- Who may Provide/Serve/Consume Alcohol
- Management and Control Requirements

## Use of Alcohol in Park Authority Sponsored or Hosted Activities

- General Guidelines
  - Must be approved in advance
  - Must be in designated area as listed on the Parks and Facilities Listing
- Program Justification and Approval
- Purchasing and Storage of Alcohol for Park Authority Programs and Events
- Hours of Programs and Events
- Designated areas of Alcoholic Consumption, Sales and/or Possession
- VABC License Requirements
- Who may Provide/Serve/Consume Alcohol
- Management and Control Requirements

# Timeline

Establish Alcohol Policy Team (September 2016)

Meet with VABC, County Attorney and FCPD (December 2016)

Present Policy to PAB Committee of the Whole (March 2017)

Review Policy and Procedures with PAB Committee of the Whole (May 23, 2018)

PAB approval to proceed with public comment (June 6, 2018)

Begin Implementation of Communications Plan (June 2018)

Host a community meeting to gather feedback on the policy (June 28, 2018)

Release the Policy for Public Comment (June 28 – July 31, 2018)

Policy back to PAB for approval (September 2018)

Explore next steps related to Food & Beverage expansion



COMMENTS/QUESTIONS?