

CITY OF KISSIMMEE POLICY MANUAL



ALCOHOLIC BEVERAGE PERMIT PD83-01

DATE APPROVED: July 15, 1983
REVISED: October 27, 2003

APPROVED BY: Mark E. Durbin
Mark E. Durbin, City Manager

ATTEST: Sandra L. Yeager
Sandra L. Yeager, City Clerk

Alcoholic Beverage Ordinance 5-3-8 Administrative Rules for Permit

Citizens or Civic Organizations requesting permission to consume alcoholic beverages on City property shall follow the rules listed below to obtain a permit from the Chief of Police.

1. Applicants or department directors shall submit a written request of authorization to the Chief of Police at least two weeks prior to the scheduled event.
2. The request shall have a person named responsible for the event listing a telephone number and address.
3. Requesting party shall inform the Chief of Police as to the anticipated number of attendees.
4. The requesting party shall have the written authorization from the Chief of Police during the occurrence of the event and shall produce said request to any police officer upon request.
5. The Chief of Police or his designee may cancel said authorization if any member or members of the authorized event become unruly or disorderly.
6. Minors under the age of 21 years shall be accompanied by a parent or guardian at all times during the event.
7. Alcohol shall be consumed within the facility or specified area and shall not be allowed on the exterior of the building or surrounding property. Example would be parking lots, doorsteps, and balconies.
8. Alcoholic beverages shall not be consumed after midnight nor before seven in the morning, nor should beverages be consumed on Sunday before 2:00pm.
9. The Chief of Police reserves the right to require the assignment of Police personnel at the applicant's expense.
10. The application fee for the use of alcoholic beverages on City property shall be \$10.00.

Florida Statute 562.11 – Selling, giving or serving alcoholic beverages to persons under age twenty-one prohibited. (1) (A) It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person under twenty-one years of age or to permit a person under twenty-one years of age to consume said beverages on the licensed premises. Anyone convicted of violations of the provisions hereof shall be guilty of a misdemeanor of the second degree, punishable as provided in Statute 775.082 or Statute 775.083.

Florida Statute 562.111 – Possession of alcoholic beverages by persons under age twenty-one prohibited. It is unlawful for any person under the age of twenty-one years... to have in his possession alcoholic beverages... notwithstanding the provisions of Statute 562.45, any person under the age of twenty-one who is convicted of a violation of this section is guilty of a misdemeanor of the second degree.

Florida Statute 562.12 – Beverages sold with improper license, or without license, or held with intent to sell prohibited. (1) It is unlawful for any person to sell alcoholic beverages without a license, and it is unlawful for any license to sell alcoholic beverages except as permitted by his license, or to sell such beverages in any manner except that permitted by his license; and any licensee or other person who keeps or possesses alcoholic beverages not to be sold by his license or not permitted to be sold without a license, with intent to sell or dispose of same unlawfully, or who keeps and maintains a place where alcoholic beverages are sold unlawfully, shall be guilty of a misdemeanor of the second degree. (2) Upon the arrest of any license or other person charged with a violation of this section, the arresting officer shall take into his custody all alcoholic beverages found in the possession, custody, or control of the person arrested or, in the case of a licensee, all alcoholic beverage not within the pervue of his license, and safely keep and preserve the same and have it forthcoming at any investigation, prosecution, or other proceeding for the violation of this section and for the destruction for the same as provided herein.

Florida Statute 562.14 – Regulating the time for sale of alcoholic and intoxicating beverages. (1) Except as otherwise provided by county or municipal ordinance, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the division between the hours of midnight and seven a.m. of the following day.

Florida Statute 562.41 – Searches; penalty. (1) Any authorized employee of the division, and sheriff, and deputy sheriff, or any police officer may make searches of persons, places, and conveyances of any kind whatsoever in accordance with the laws of this State for the purpose of determining whether or not the provisions of the beverage law are being violated. (3) Any owner of such premises or person having the agency, superintendency, or possession of same, who refuses to admit such officer or to suffer him to examine such beverages, shall be guilty of a misdemeanor of the second degree. (4) Any person who shall forceably obstruct the director, a division employee, any sheriff, any deputy sheriff, or any police officer in the execution of any power or authority vested in him by the law, or who shall forceably rescue or cause to be rescued any property if the same shall have been seized by such officer, or shall attempt or endeavor to do so, shall be guilty of a misdemeanor of the second degree.

Florida Statute 562.453 – Curb drinking and intoxicating liquor prohibited. It is unlawful for any person to consume any intoxicating liquor, except malt beverages of legal alcoholic content, at curb or drive-in stands, except within the building which is the address of the person holding a license for the sale of such intoxicating liquor.

Florida Statute 562.4 (A) – Minors patronizing, visiting, or loitering in a dance hall. Any person operating any dance hall in connection with the operation of any place of business where any alcoholic beverage is sold who shall knowingly permit or allow any person under the age of eighteen years to patronize, visit or loiter in any such dance hall or place of business, unless such minor is attended by one or both of his or her parents or by his or her natural guardian, shall be guilty of a misdemeanor of the second degree.

CITY OF KISSIMMEE

FRAN IWANSKI
Chief of Police



8 North Stewart Avenue
Kissimmee, Florida 34741-5499
407-847-0176
407-518-2419 (Fax)

APPLICATION FOR ALCOHOLIC BEVERAGE PERMIT

NAME _____

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

TELEPHONE NUMBER _____

TYPE OF FUNCTION _____

PLACE _____

DATE _____ **TIME** _____

APPROXIMATE NUMBER OF PEOPLE _____

RESPONSIBLE PERSON AT FUNCTION _____

I have read the City of Kissimmee Alcoholic Beverage Ordinance governing the consumption of alcoholic beverages on City property and will abide by the rules therewith.

SIGNATURE

DATE

DATE APPROVED

RECEIPT#

FRAN IWANSKI, CHIEF OF POLICE

You are required to have this permit in your possession during this event and further required to produce it upon demand to any law enforcement officer.

"THE POSITIVE DIFFERENCE"