

Section _____ - Catering Permits in Conjunction with a Special Event.

- (a) A special event permit applicant that does not have a current City of Smyrna alcoholic beverage license and is not a bona fide nonprofit civic organization who desires to sell or serve alcoholic beverages temporarily (no more than (3) days) for consumption on a non-licensed premises during a special event shall employ, use or contract with an alcoholic beverage caterer for such service.
- (b) If an existing alcoholic beverage licensee desires to sell or serve alcoholic beverages temporarily (no more than three (3) days) for consumption on a non-licensed premises, said licensee shall obtain an alcoholic beverage catering license pursuant to Section 3.2.5 of this chapter in conjunction with a special event permit.
- (c) If an existing alcoholic beverage licensee desires to sell or serve alcoholic beverages temporarily for consumption beyond the licensed premises but either connected to the licensed premises or on the same property under their sole possession, said licensee shall obtain a special event permit but is not required to obtain a catering license since the special event is an extension of the licensed premises.
- (d) A bona fide nonprofit civic organization that desires to sell or serve alcoholic beverages temporarily (no more than three (3) days) for consumption on a non-licensed premises during a special event shall pay a fee of fifty dollars (\$50.00) to obtain a permit authorizing the organization to sell or serve alcoholic beverages for consumption on the premises of the special event. No more than two (2) permits may be issued to an organization in any one (1) calendar year. The organization shall hire an off-duty police officer of competent jurisdiction to be present during the event. For the purposes of this section, a bona fide “nonprofit civic organization” is defined as an organization which is an exempt organization under Section 501 (c) or (d) of the Internal Revenue Code of 1986, as amended.

Section 3.2.5 – Alcoholic Beverage Caterers.

(a)

License Requirements-Resident Caterers.

(1)

Any alcoholic beverage retailer possessing a valid license from the City of Smyrna to sell malt beverages, wine or distilled spirits by the drink at a fixed location within the city may apply for an off-premises license that authorizes sales at authorized catered event(s) or function(s).

(2)

Each off-premises catering license as authorized herein shall be valid only for the calendar month in which the license is issued. The fee for each such license shall be set by mayor and council and approved by resolution.

(3)

It shall be unlawful for any person to engage in, carry on or conduct the sale or distribution of alcoholic beverages off-premises and in connection with a catered event or function without first having obtained a license as provided herein.

(b)

Permit Requirements-Nonresident Caterers. Entities within the City that wish to host a special event using an alcoholic beverage caterer from another jurisdiction shall obtain a special event application from the community development department. The application for the special event permit shall include:

(1)

The name of the nonresident alcoholic beverage caterer desired;

(2)

A copy of the alcoholic beverage license and catering license issued by the jurisdiction in which the business is located;

(3)

The quantity of alcoholic beverages to be transported from the licensee's primary location to the location of the authorized catered event(s) or function(s).

(4)

The original event permit shall be kept in the vehicle transporting the alcoholic beverages to the catered event(s) or function(s).

(5)

It shall be unlawful for a licensed alcoholic beverage caterer to distribute or sell alcoholic beverages off-premises except as authorized by the event permit.

(c)

[Limitation of License]. A licensed alcoholic beverage caterer may sell only that which is authorized by his alcoholic beverage license. For example, if the alcoholic beverage caterer possesses a valid license to sell malt beverages, he may sell only malt beverages at the authorized catered event or function.

(d)

Sunday Sales. An alcoholic beverage caterer wishing to cater an event or function on Sunday must possess a valid Sunday sales license and comply with the requirements of state law with respect to the service of alcoholic beverages on Sunday.