



## **Staff Report**

For City Council Meeting - 2/7/2024

### ***Subject - Visitors - GVFD - Request to Hold Annual Gearhart Volunteer Firefighter Ball***

**Synopsis:** A representative of the GVFD will attend the meeting to make a request to hold the annual Gearhart Volunteer FirefighterBall fundraiser.

***Council Options:***

- 1) Motion to approve the request to hold the ball;
- 2) Take other action desired by the Council.

**Recommendation:** Staff recommends the request be approved.

**Legal Analysis:** The City Administrator and Police Chief will issue a noise permit if the ball is approved. The OLCC application is pending submission following approval of the City Special Event Liquor License application on tonight's agenda.

**Financial Analysis:** This ball is the major fundraiser for the GVFD Association and we saw its return for the first time since COVID last year.

Respectfully Submitted,

A handwritten signature in blue ink, consisting of several fluid, overlapping loops and strokes.

Chad



## NONPROFIT & CHARITABLE ORGANIZATION

### EXEMPT EVENT REQUEST FORM

A nonprofit or charitable organization registered as such with the State of Oregon may obtain written authorization from the OLCC to sell alcoholic beverages, including through an auction or raffle, for up to 45 days in a calendar year without a license from the OLCC.

**\*\*Before you submit the Nonprofit & Charitable Organization Exempt Event Request Form, read the [Special Event Guide for TSLs and Exempt Events](#). Use this guide to assist you in selecting the appropriate option for your special event and for information about completing this form and conducting an Exempt Event.**

#### What is the exemption request process?

- A nonprofit or charitable organization must receive *prior* OLCC authorization for each event date.
- Consult with the city or county for any desired Exempt Event location prior to submitting this application to the OLCC to confirm that your event will comply with local regulations.
- To avoid a delay in processing your Exempt Event request form, and to increase the likelihood that the OLCC will be able to approve your exemption request in time for your event, please submit the Exempt Event Request form to the OLCC office serving the county in which your Exempt Event will happen. Find the OLCC office here: [OLCC offices & the counties they serve](#). If your event includes addresses served by different OLCC regional offices, submit the Exempt Event approval application to the regional office serving the address you listed on the application (do not submit the form to multiple OLCC offices).
- OLCC needs your completed Exempt Event request form in sufficient time to approve it. Submit a completed form to your OLCC office at least two weeks before the date(s) of an event.
- Please note that if you plan to allow on-site consumption of alcohol and have 501 or more individuals at any event location or address, you will be required to submit a site plan drawing and [Exempt Event Operational Plan](#) for each location where there will be on-site consumption of alcohol and 501 or more individuals in attendance on a given event date.





As set forth in Ordinance #936 with fees defined in Resolution #975, alcohol consumption may be allowed by permit only in any City owned and/or operated public space upon payment on and approval of this special event (temporary) application.

**Applicant Contact (if Partnership or Corporation, please attach additional contact sheet)**

Gearhart Fire // Lindsey Wolfe Association President (503 ) 738-7838
Print Name Preferred Telephone Number
670 Pacific Way Email: JoshComo@CityofGearhart.com
PO BOX 2530 ( )
Address Additional Contact Number

**Event Information and Mandatory Criteria**

Event date: May 25th, 2024 Number of people anticipated to attend: 500
Describe the event to be held for which you would like to provide alcohol:
Yearly fundraiser Firefighters Ball
Insurance Company Name Knutsen Policy Number 100037201
OLCC Servers Name Lindsey Wolfe Server Permit Number 8F2L62
Event Hours: 8PM-midnight Requested Alcohol Service Hours: 8pm-midnight
Have you ever possessed a license to sell alcoholic beverages? NO YES (attach sheet of names/locations)
Indicate the location(s) for which this application will apply: Fire Station
Dunes Meadow Park Centennial Garden Park City Beach/Dune Land Other:
Is the event private, or open to the general public?
Please respond to the following criteria in the spaces provided. Attach additional sheets of paper where necessary.
The City will approve or deny this application based on your responses.
1. Identify the public benefit to be gained by allowing alcohol and identifying how the proceeds of the event, if any, will be used. REMINDER: If you wish to sell alcohol at your event, you must obtain a temporary sales license/permit from the Oregon Liquor Control Commission.
The Firefighters Association will benefit from the fundraiser
2. Identify the proposed confined alcohol serving and consumption area and methods of boundary control.
no alcohol is allowed outside of the building/tent.
3. Define event security to be provided to avoid consumption outside defined boundaries, consumption by intoxicated guests, and consumption by minors.
Everyone gets and ID check at the door. Firefighters are used as crowd security.

**Permit Fees**

Damage and cleaning deposits are based upon attendance and type of event. In order to qualify as a private party event, the general public must not be invited and no flyers or advertisements may have been made.

Table with 2 columns: Event Type and Fee. Private Party (up to 50 people) \$25.00 per event application, per day; Private Party (51-250 people) \$25.00 per event application, per day; Private Party (more than 250 guests) \$25.00 per event application, per day; Public Event \$25.00 per event application, per day.

**Conditions of Use**

If this application is approved, the applicant shall:

1. Agree to use a licensed server(s) and comply with any applicable OLCC regulations;
2. Not use glass beverage containers for personal consumption (not to be construed to prohibit bottles of wine);
3. Not serve, sell, consume, possess, or use distilled liquor unless an OLCC special events permit/temporary sales license has been obtained;
4. Arrange for and pay for removal of trash generated by the event;
5. Obtain event insurance and provide evidence 5 business days in advance of the event of coverage in the amount of \$5,000,000 per claim, naming the City as an additional insured;
6. Pay the permit fee at the time of submission, unless a longer time is approved by the City Council and authorized by the City Administrator;
7. Sign a liability waiver, indemnity, defense, and hold harmless agreement on a form prescribed by the City Administrator (attached hereto and incorporated herein by reference);
8. Obtain a Noise Permit from the City if event sound levels are anticipated to reach over 50 dBA between 10:00 p.m. - 8:00 a.m. or over 60 dBA between 8:00 a.m. - 10:00 p.m.
9. Provide alternative non-alcoholic beverages;
10. Cease all alcohol service by the time requested on this application unless otherwise noted as a condition below;
11. Provide food items; and
12. Comply with any other conditions the City deems prudent.

**Liability Waiver/Service Agreement**

**I HEREBY FULLY RELEASE AND DISCHARGE THE CITY OF GEARHART, ITS EMPLOYEES, OFFICERS, OFFICIALS, VOLUNTEERS, AGENTS AND INSURERS (COLLECTIVELY, THE "RELEASED PARTIES") FROM ANY AND ALL LIABILITY, CLAIMS, AND CAUSES OF ACTION FROM INJURIES OR ILLNESS (INCLUDING DEATH), PROPERTY DAMAGES OR LOSS WHICH MAY BE ASSERTED BY ANYONE WHICH IN ANY WAY ARISE FROM, DURING, OR IN CONNECTION WITH THIS USE OF THE CITY'S PROPERTY FOR THIS EVENT OR THE SERVICE OF ALCOHOL AT THE EVENT BY ME, OR MY GUESTS, INVITEES, OR LICENSEES. THIS RELEASE INCLUDES BY WAY OF EXAMPLE AND NOT LIMITATION, ANY RISKS THAT MAY ARISE FROM NEGLIGENCE OR CARELESSNESS ON THE PART OF THE RELEASED PARTIES, FROM DANGEROUS OR DEFECTIVE EQUIPMENT OR PROPERTY OWNED, MAINTAINED, OR CONTROLLED BY THE RELEASED PARTIES.**

I shall be in charge of the event and will be present at the event. I shall be responsible for the clean-up of the area and repair of damage to equipment or facilities and replacement of any theft. I agree that I have read and shall abide by the conditions noted on this application.

Lindsey Wolfe  
Signature of Applicant

1/17/24  
Date

Gearhart Fire // Lindsey Wolfe Association President  
Print Name

**For Office Use**

- Approved \_\_\_\_\_  
Police Department (if called to review)      Date
- Approved with conditions: \_\_\_\_\_
- Not Approved; Reason: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
City Administrator

City of Gearhart  
698 Pacific Way PMB 2510  
Gearhart, Oregon 97138  
Phone: 503-738-5501  
Fax: 503-738-9385

## NONPROFIT & CHARITABLE ORGANIZATION

### EXEMPT EVENT REQUEST FORM

13. Will you offer drinks or tastes of alcohol for consumption at any of the Exempt Event locations?

YES  Answer question 14.

NO  Skip to the affirmation and signature section of this application.

14. Will there be 501 or more individuals in attendance at any address or location for the Exempt Event on a given event date?

YES  In order to obtain approval from the OLCC for your Exempt Event, in addition to this application, for each address or location where there will be 501 or more individuals in attendance on a given event date you must:

- Submit a site plan drawing showing the boundaries of the Exempt Event area, and
- Complete an [Exempt Event Operational Plan](#).

NO  Skip to the affirmation and signature section of this application.

### AFFIRMATION AND SIGNATURE

I affirm the following:

- I am authorized to sign this application on behalf of the applicant listed above.
- The applicant is either a nonprofit organization registered with Oregon Secretary of State or a charitable organization registered with Oregon Department of Justice.
- The applicant has or will consult with each local city or county in which the event is held to ensure compliance with local regulations.
- I have read and understand the best practices for Exempt Events outlined in the [Special Event Guide for TSLs and Exempt Events](#)

REPRESENTATIVE'S PRINTED NAME: Joshua M. Como

REPRESENTATIVE'S SIGNATURE (electronic signature acceptable):

*Joshua M. Como*

Date: 1/26/23

SEND THE EXEMPTION REQUEST FORM TO AN OLCC OFFICE THAT COVERS A LOCATION FOR YOUR EVENT. ([OLCC Office Locations](#))

#### OLCC USE ONLY

This event is authorized only when this form is signed by an OLCC representative.

OLCC Signature \_\_\_\_\_

Date: 1/26/23



# EXEMPT EVENT OPERATIONAL PLAN

As a condition of approval, the OLCC requires any applicant for an Exempt Event to complete an Exempt Event Operational Plan, if:

- The nonprofit or charitable organization will allow on-site consumption of alcohol at any of the approved Exempt Event addresses or locations, and
- There will be 501 or more individuals at an event address/location on a given approved Exempt Event date.

Please note that there may be other circumstances under which the OLCC may require an applicant for an Exempt Event to submit this form.

If there will be more than one applicant making alcoholic beverages available in the same Exempt Event area, all applicants may agree to submit and follow one plan. One plan may also be used for all Exempt Event addresses or locations associated with an event as long as each address or location will be managed in the same way. If there will be differences in the ways that the different subject locations are operated or managed, use a separate Exempt Event Operational Plan for each location.

In addition to this Exempt Event Operational Plan, an Exempt Event site plan drawing is required for each location where there will be more than 501 in attendance and where on-site consumption of alcohol will be allowed. For more information see the Exempt Events section of the [Special Event Guide for TSLs and Exempt Events](#).

1. Applicant (name of nonprofit or charitable organization): Gearhart Volunteer Fire Department
2. Registry number: 1859059-90
3. Email: JoshComo@CityofGearhart.com
4. Event Name: Firemans Ball
5. Date(s) of event: May 27th, 2023
6. Start/End hours of alcohol service: 8PM to 12AM (include am/pm)
7. Event Street Address: PO BOX 2530 // 670 Pacific Way
8. City: Gearhart County: Clatsop Zip: 97138

**(If there will be multiple addresses or locations where alcohol will be offered for on-premises consumption and the expected attendance at the location is 501 or more individuals, please submit an Exempt Event site plan drawing for each location/address)**

9. Will minors be allowed at the event?  Yes  No
10. If yes, will minors and alcoholic beverage be allowed together in the same area?  Yes  No
11. Will any portion of the approved Exempt Event area be prohibited to minor patrons?  Yes  No

**If yes**, describe your plan to prevent minor patrons from gaining access to the prohibited area:

The entire event is blocked off and secured. by utilizing the fire station and an outdoor event tent with wall and a roof. There is 1 Entrance/Exit where security will ID everyone at the door before entry

12. Estimated total attendance per day in the area(s) where alcoholic beverage will be sold or consumed: 1,000



13. Describe the primary activities within the Exempt Event area:

fundraiser: Live band, Dance Floor, Poker Tables, Merchandise & food sales

14. Do you estimate the number of guests in the Exempt Event area will be about the same during the entire time that alcohol is sold or consumed?  Yes  No

If no, what are the estimated times that a greater number of guests will attend? 9-11PM

15. At any one time, what is the average range of the number of staff (such as managers, servers, security, alcohol monitors, ID checkers, etc.) on-duty, at the event, and whose job includes monitoring guest behavior 30

16. Do you plan to require individuals who will be serving alcohol to have a valid OLCC service permit or to read the OLCC's [What Every Volunteer Alcohol Server Needs to Know](#) brochure prior to the event?  Yes  No

If no, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:

17. Will you have any **Alcohol Monitors** working in the Exempt Event area? (*An Alcohol Monitor is a person in addition to alcohol servers and security staff who monitors the sale, service, and consumption of alcoholic beverages to help ensure that unlawful sales, service, and consumption of alcoholic beverages do not occur.*)  Yes  No

18. If yes to #17, list the minimum number of **Alcohol Monitors** you estimate will work during the estimated times when a greater number of guests will attend and the estimated times when a regular number of guests will attend:

4 Minimum number during estimated times of greater guest attendance

4 Minimum number during estimated times of regular guest attendance

19. Will all **Alcohol Monitors** be required to have a service permit or required to read OLCC's [What Every Volunteer Alcohol Server Needs to Know](#) brochure prior to the event?  Yes  No

If no, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:

20. Will security or ID checkers be required to have a service permit or required to read OLCC's [What Every Volunteer Alcohol Server Needs to Know](#) brochure prior to the event?  Yes  No

If no, describe the plan to train these people in at least the following: recognizing minors; properly checking identification; and how to recognize and respond appropriately to visibly intoxicated persons:

Security/ID Checkers will go through an ID class from local Law enforcement.





21. Will servers, security, or ID checkers wear clothing or other designation which readily identifies them as such to guests?

Yes

No

If yes, please describe:

[Redacted]

22. Describe for alcoholic beverages meant for consumption in the Exempt Event area:

	Size of Container (in which the Alcohol will be Served)	Maximum Amount of Alcohol in the Container
Malt Beverages	12oz.	10oz
Wine	12oz	10oz
Cider	12oz	10oz
Distilled Liquor	0	0

23. Describe how containers used to serve alcoholic beverages for consumption in the Exempt Event area will be of a different color and type when compared to containers used to serve nonalcoholic beverages:

alcohol will be served in plastic cups (typically white). water and soda will be served in paper (typically red coke cups or blue pepsi cups)

24. What is the maximum number of containers of alcoholic beverages meant for consumption in the Exempt Event area that a guest may possess at any one time? 2

25. Describe the level of lighting the Exempt Event area will have to ensure the proper monitoring of guests:

A level of lighting sufficient to read common newspaper print; or

A level of lighting that will be (please describe):

26. If other methods for adequately managing the Exempt Event area will be used, describe them here (or submit a separate written, dated, and signed plan): See attached

[Redacted]

Applicant Name (please print): Joshua M. Como

[Redacted]

Applicant Signature: Joshua M. Como

[Redacted]

Signature date: 1/26/23

[Redacted]

\*\*\*ATTACHMENTS\*\*\*:

Attachment #11b

The area highlighted "yellow" is the outline of the tented area. Restroom area will be closed off to any type of entry and/or exiting from the outside. All other exits will be used for emergency purposes ONLY and will have GVFD personnel located at these exits (highlighted red). (Sketch provided on next page)

Attachments # 16, 17, 18

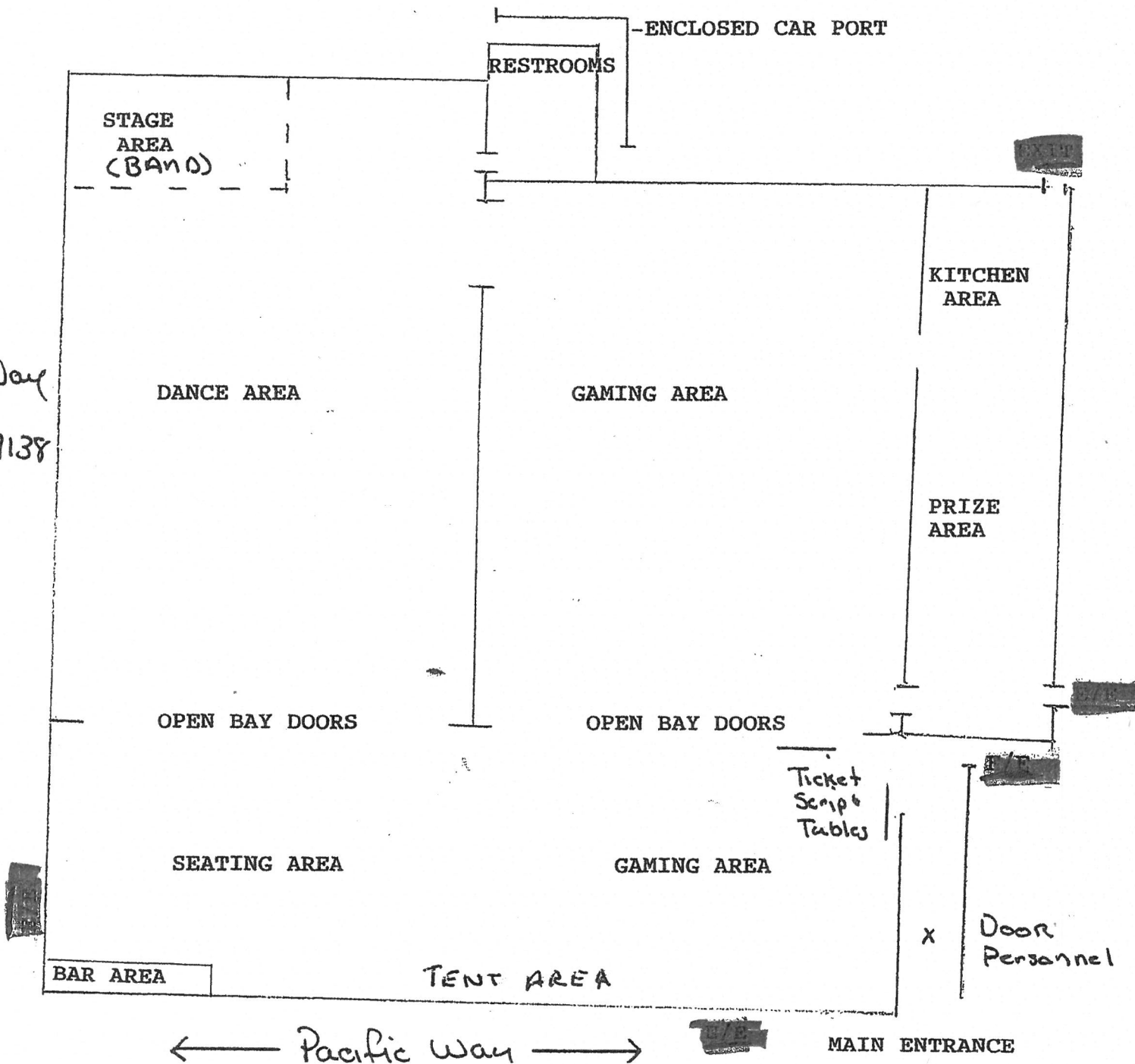
No minors will be allowed, except those who are members (and/or spouses) of Gearhart Fire Department Association, and only for the purpose of scheduled work (cleaning, food prep, food service, clothing sales, etc.). Door personnel will be required to check ID at the door when patrons enter and prior to being served. A log book will be kept recording any issues or problems arising during the function. No patron will be allowed into the function if visibly intoxicated. Personnel that have a service permit, prior service permit or a volunteer server that has prior experience and completed a volunteer server class will instruct other volunteer's on rules and /or laws governing the serving of alcohol and signs of intoxication. GVFD personnel will conduct a "walk through" multiple times during the event to monitor patrons. No alcohol will be allowed outside the enclosed service area (tent & building). Security will be conducted on the exterior of the premises during service hours by fire department personnel.

Food will be available at all times alcohol is served and for approximately 30 minutes after the service of alcohol is suspended. There will be no "quantity" pricing and/or discounted alcohol drinks. A "one drink purchase limit" may be imposed to control consumption and monitor patrons during the function (requiring each patron to personally purchase their own drink). There will be only one entry and exit point for the function for control purposes; emergency exits will be provided, these will have GVFD personnel stationed at all times. No alcohol shall be allowed outside licensed area.

April 2, 2019

↑  
North

670 Pacific Way  
Gearhart, OR 97138



**Invoice**

**Date: 1/17/2024**

**Due: \$25.00**

**Payable to: City Of Gearhart**

**Item Description: Special Event Fee // Firefighters Ball**

**Note**

Association will write a check to the City

**Code to account:**

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Thank you,

*John M. CMO*



*copy*