

# FACT SHEET FOR ALCOHOL APPLICATION

To host an event with alcohol at the City of Harker Heights Activities Center, simply submit the below application to the Activities Coordinator for City Council approval before the first and third Friday of each month. Be prepared to appear at a City Council meeting (second or fourth Tuesday) to answer any questions they may have regarding your event.

If approved, please follow the below steps for TABC compliance:

If you are a civic organization and are hosting a free event with alcoholic beverages, you do not need a TABC Temporary Permit.

If you are a civic organization that is hosting an event where patrons are charged for entrance, food & beverages, specific activities, etc., you must:

1. Obtain a TABC Temporary Permit or,
2. Contract out a caterer or restaurant with proper TABC licensing.

To obtain a TABC Temporary Permit:

1. Print from the website: [http://www.tabc.state.tx.us/forms/licensing\\_packets.asp](http://www.tabc.state.tx.us/forms/licensing_packets.asp) or,
2. Apply in person to:  
**TABC Belton Outpost**  
111 E Water St.  
Belton, TX 76513  
(254) 933-5368  
Fax: (254) 933-5369
3. Complete the TABC Routing Sheet

To avoid processing delays, the application should be submitted five business days in advance of an event.

## **Can I sell or serve alcoholic beverages at a fundraising event?**

TABC [Marketing Practice Bulletin MPB-026](#) includes a summary of various options available to charitable, religious or civic organizations wishing to serve alcoholic beverages at fundraising events. This bulletin discusses the receipt of donations by charitable, religious or civic organizations from members of the alcoholic beverage industry.

## **Can I give away free alcoholic beverages without holding a TABC permit?**

It is legal to provide free alcoholic beverages without a permit. However, to be truly "free," it must be available to any adult who walks in the door and requests it. If alcoholic beverages are only available to paying customers, the assumption is that the cost of the alcohol is included in the price of the service. This constitutes a sale of alcoholic beverages, and a TABC permit would be required. When you provide the alcoholic beverage, there cannot be any expectation of receiving money. You cannot ask for a "donation" or "tip." If the drinks will only be available to paying guests, then you will need a permit. Some examples: A wedding reception with free drinks is really free. A boutique that serves free wine while you shop, even if you don't buy anything, is really free. A nail salon with a "free" drink when you pay for a manicure is not really free. If you buy tickets to attend a charity ball and they serve "free" drinks, those are not really free. If a tip jar sits next to a keg of beer expecting "donations," the beer would not be considered free.

# CITY OF HARKER HEIGHTS PARKS & RECREATION REQUEST FOR ALCOHOL SERVICES

I, \_\_\_\_\_, representative agent of the following business or organization:  
\_\_\_\_\_, request the presence of alcohol at the following function:

Name of Event: \_\_\_\_\_

Date & Time: \_\_\_\_\_

Purpose of Event:  
\_\_\_\_\_

Types of alcohol being served: \_\_\_\_\_

Are the beverages for sale or free?                      Sale                      Free                      Tips only                      BYOB

Will there be a charge or donation for entrance, food & beverages or specific activities?    Yes                      No

Who will be serving the drinks? \_\_\_\_\_

Will there be children/adults under the age of 21 present?                      Yes                      No

I understand that the City of Harker Heights does not hold a Mixed Beverage Permit from the Texas Alcohol Beverage Commission (TABC), and all permits and licensing required by law are my own responsibility. I also agree that I am responsible for ensuring strict compliance with all TABC rules and regulations pertaining to the Event. I further understand that failure to comply with these obligations may result in the loss of future Activity Center room rental privileges, and other penalties.

### INDEMNIFICATION

I agree to hold harmless and relieve and discharge the City of Harker Heights, its officers, employees, agents, volunteers, contractors, representatives and insurers ("Released Parties") from any and all liability for loss, injury, or damages to any person or persons for personal injuries or death of any person or persons, or loss or damage to any property occasioned by or sustained by reason of the occupancy and use of the Center and the facilities thereof without regard to the cause of such loss, or **WHETHER THE LOSS WAS CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE RELEASED PARTIES.** I further expressly covenant and agree to protect, defend, indemnify, and hold harmless the Released Parties from all claims based upon alleged joint and/or concurrent negligence of the Released Parties, myself, and any person for whom I am responsible, arising out of or incident to the Event. I agree that in case any of the Released Parties shall be made a party to any litigation commenced by or against me or relating to the Event, then I shall pay all costs and expenses, including reasonable attorney's fees and court costs, incurred by or imposed upon any of the Released Parties by virtue of any such litigation.

**AUTHORIZED AGENT:** The signer of this Request hereby represents and warrants that he or she has full authority to execute this form on behalf of the business or organization named above, if any.

IN WITNESS WHEREOF, we have affixed our signature, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_

**Contact:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**By:** \_\_\_\_\_

**Signature of Authorized Agent**

**By:** \_\_\_\_\_

**Director/ or designee**

### CITY OF HARKER HEIGHTS

ACTIVITIES CENTER

For Official Use Only

Date presented to City Council: \_\_\_\_\_

Approved by City Council:

Declined by City Council: