

# **Pro-active Keg Regulation Enforcement –**

**Why wait for the tragedy?**

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**9<sup>th</sup> Annual National Leadership Conference  
Empowering Leadership to  
Enhance What Works  
August 2, 2007  
Orlando, Florida**

# Traditional Keg Registration Programs

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- A serialized label is attached to the keg.
- Upon the of sale the keg, information is recorded and associated with the purchaser.
- If police encounter an incident where the alcohol was provided to minors or an injury results, the keg can be tracked back to the purchaser.
- Violations exist if the serialized label has been removed or if the keg is possessed without the serialized number.

# Common Issues to Traditional Keg Regulation

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- By design, the program is reactive in nature.
- Industry resistant to involvement with program due to layers of additional work involved.
- Program does not clearly address problems associated with kegs purchased out of area.
- If out of area kegs are addressed, it requires additional involvement of government staff to comply.
- Process typically needs an incident to occur and investigation may be extended as a result.

# The Champaign program – Basics

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- At the time of purchase of a keg, the purchaser is required to complete an adult responsibility form.
- Form provides rules for possession and purchase.



City of Champaign  
Office of the Liquor Commissioner

**ADULT RESPONSIBILITY CERTIFICATION**

- I hereby declare that I am at least twenty-one (21) years of age.
- I acknowledge that it is illegal to give or deliver any alcoholic liquor to any person under the age of twenty-one (21) years or to an intoxicated person.
- I further acknowledge that it is illegal to sell either directly or indirectly alcoholic liquor to anyone without first obtaining appropriate licenses and insurance.
- I also acknowledge that it is illegal to allow any person under the age of twenty-one (21) years or any intoxicated person to remain on any premises owned, occupied or controlled by me while in the possession of or consuming alcoholic liquor.
- I further acknowledge that I **must** obtain a Class K temporary liquor permit from the City of Champaign for possession of alcoholic beverages in one or more kegs with a total cumulative capacity in excess of sixteen (16) gallons, and that failure to do so subjects me to a minimum fine of Two Hundred Eighty Dollars (\$280.00). A keg is defined as "any metal, wooden, plastic or other container designed to hold four (4) or more gallons of liquid and actually contains any amount of alcoholic liquor."
- I further understand that this information will be given to law enforcement officials for use in enforcement activities.

The undersigned certifies that the information provided on this document is true and accurate. I understand that if I have furnished false information herein, charges may be brought against me.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**EVENT INFORMATION**

Location \_\_\_\_\_ Apt # \_\_\_\_\_  
Date of Event \_\_\_\_\_ No. of Kegs \_\_\_\_\_ Permit applied for Y N

Purchaser <small>(Please Print)</small>			Seller			
Name						
Address / Apt #						
City		State	Zip			
DL / ID Number			State			
Phone #	Birth date		Keg(s)	Tap(s)	Exchange	Initials

Rules and  
Advisements

Certification of  
Truthfulness

Event Information

Purchaser Information

# The Champaign program – Basics

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- Employee is required to confirm the identity prior to the completion of the sale.
- Forms are provided by the City of Champaign, so there is no cost to the licensee.
- A copy of the purchase form is given to the purchaser and the original is retained by the licensee.

# The Champaign program – Basics

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- The licensee is required to retain the form for a minimum of six months.
- Adult responsibility forms are subject to inspection by the police department at any time.



# The Champaign program – Legal Aspects

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- Sec. 5-67.1. Keg sales; adult responsibility.
- No licensee shall sell alcoholic liquor in a keg without first having obtained the signature of the purchaser on an adult responsibility form provided by the City. The licensee shall retain such form at the place of sale for a period of no less than six (6) months from the date of sale and make them available for City's inspection at the City's request.

# The Champaign program – Legal Aspects

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- Sec. 5-28.1. Class K keg permits.
- (a) A Class K permit shall permit a person to purchase and possess alcoholic liquor in one or more kegs with a total cumulative capacity in excess of sixteen (16) gallons; provided, however, that no such permittee shall sell, directly, or indirectly by means of an admission charge or otherwise, such alcoholic liquor. Further, possession shall only be allowed off the premises for which the permit is issued for purposes of transporting the alcoholic liquor to and from the place of purchase.
- (b) This section shall not be applicable to the possession of a keg or kegs by Class A, C, H, P (any class), R (any class) or T licenses on premises licensed by the City under such license or the purchase of a keg or kegs by a licensee other than a Class K permittee.
- (c) A Class K permit shall be issued for a time period of no more than two (2) consecutive days.

# The Champaign program – Legal Aspects

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- Sec. 5-67.2. Kegs: Purchase or possession without a permit.
- (a) No person shall purchase or attempt to purchase alcoholic liquor in a keg without having first signed an adult responsibility form approved by the City and provided by the seller.
- (b) No person or persons shall possess or attempt to possess alcoholic liquor in keg packaging in excess of sixteen (16) gallons without first having obtained a Class K permit from the City.
- (c) For the purposes of this section, it shall be presumed that the persons in control of the premises - where kegs containing alcoholic liquor are found - are lessees or owners (as the case may be), and as such, are in possession of the kegs.

# Keg Parties – Permit and Registration

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- Permits are issued by the Liquor Commissioner's Office.
- Requires application and basic background check by the police department.
- Approval granted by the Liquor Commissioner on the advice of the Police Department.
- Grounds for denial.
  - Past calls for service history.
  - Host has past history of delivery of alcohol to minors or other significant criminal history.

# Permit Forms

		<b>Application for Class K Liquor License</b>	
<b>APPLICANT Information:</b>			
Applicant's Name: _____			
Local Street Address: _____			
City: _____	State: _____	Zip Code: _____	Local Telephone Number: _____
On _____, _____, from _____ a.m. / p.m. <small>(day of the week) (date) (time)</small>			
to _____, _____, at _____ a.m. / p.m. <small>(day of the week) (date) (time)</small>			
a function involving the use and possession of alcoholic liquor in one or more kegs with a total cumulative capacity in an amount exceeding sixteen (16) gallons will be held at:			
<b>EVENT LOCATION information:</b>			
Full Street Address: _____	Apt. Number: _____	Telephone Number: _____	
I certify that I am at least twenty-one (21) years of age. I agree not to sell directly or indirectly any alcoholic beverages to anyone in exchange for money (including admission charge, charges for cups, wristbands, music/bands, etc.).			
I further understand that, if approved, the Local Liquor Control Commissioner shall indicate approval below, and that a license will be issued and returned, which license shall be conspicuously posted on the premise at the time and place of the function.			
I further state that all State laws and City ordinances, including those involving purchase or possession of alcoholic liquor by minors and delivery of alcoholic liquors to minors, shall be followed.			
Please be aware that to transport an opened keg of alcohol, the taper must be removed.			
<b>LICENSE SHALL BE DENIED IF ALL REQUIREMENTS ARE NOT MET</b>			
Signature: _____		Today's Date: _____	
<b>FOR OFFICE USE ONLY</b>			
ID Type: _____	DOB: _____	No. _____	Exp. _____
<b>LICENSE:</b> The above request has been approved, and I hereby issue this license for the Class K function indicated above.			
_____ Date		_____ Local Liquor Control Commissioner	
cc: Police Department			

<b>CLASS K LIQUOR LICENSE FUNCTION RULES</b>	
Anyone wanting to conduct a Class K liquor license function shall conduct such function in the manner set forth in these rules:	
A. Class K liquor license functions shall be conducted only on the premise stated in the application for the Class K liquor license, and shall be for a time period of no more than two (2) consecutive days.	
B. The licensee shall deliver to the Local Liquor Control Commissioner a completed application for a Class K liquor license at least five (5) working days in advance of the proposed function. For example, if an event is scheduled for a Saturday or a Sunday, the completed application must be returned to the Local Liquor Control Commissioner's Office no later than Friday <i>the week before</i> the scheduled event.	
C. The person(s) serving the alcoholic liquor at the function shall be at least twenty-one (21) years of age.	
D. All State laws and City ordinances shall be followed.	
E. The Local Liquor control Commissioner shall issue a Class K liquor license to the licensee; and the licensee shall post this license in a conspicuous location at the function.	
F. To transport an opened keg of alcohol, the taper must be removed.	
G. There will be absolutely no exchange of money for any reason at an event licensed with a Class K liquor license.	
<b>FOR OFFICE USE ONLY</b>	
Number of Kegs: <input type="text"/>	Number of People expected to attend the event: <input type="text"/>
In what manner are these people being invited? <input type="text"/>	
Will any of this event spill over or likely spill over onto a sidewalk, right-of-way, alley, or street?	
YES <input type="checkbox"/> NO <input type="checkbox"/> <i>(If Yes, a Special Event Permit must be issued by the Champaign Police Department.)</i>	
Will there be music? YES <input type="checkbox"/> NO <input type="checkbox"/> If yes, what type? <input type="text"/>	
<small>(DJ, Stereo, Band, Other)</small>	
If yes, where? <input type="text"/>	
Is your landlord or the owner of the property aware of this event? YES <input type="checkbox"/> NO <input type="checkbox"/>	
<small>j:\00LIQUOR\FORMS\Class K App 07.04</small>	

# Keg Parties – Permit and Registration

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- Table provides guidance on number of kegs authorized based on minimum attendance.
- Hosts are encouraged to register party with the police in conjunction with keg permit.
- Basic background check completed on hosts prior to approval.
- Any event with 10 or more kegs will require a meeting with alcohol enforcement staff.

# Kegs Requested	Minimum Attendance
2	60
3	85
4	115
5	140
6	170
7	200
8	225
9	255
10	280
11	310
12	340
13	365
14	395
15	420

# Enforcement

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- Process allows for the proactive enforcement of the keg purchase laws.
- Licensee's cooperate with the process by highlighting the rules of the program at the time of purchase.
- Media gets involved with routine stories about the program.
- Students are advised of rules through orientation and brochures.

# Enforcement

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- Follow the Keg – Surveillance Model
  - Officers conduct surveillance on licensed establishment.
  - When multiple kegs purchases are observed, the officers follow the purchasers to destination.
  - Once kegs are on premises, the officers make contact with hosts and confirm presence of multiple kegs.
  - If violation occurs, citations are issued and enough kegs are seized to place them into compliance.

# Enforcement

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- Follow the Keg – Standard Review Model
  - Routine inspection of forms maintained by licensee.
  - Officers follow up at locations with potential violations.
  - Locations are checked / compared to the list of known keg permits issued.
  - Enforcement action taken as needed



# Benefits

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- If hosts fail to follow the rules of purchase, it can be assumed that they will also fail to control the alcohol. This allows for targeted enforcement.
- Prevents underage drinking by eliminating the opportunity.
- Allows for hosts to be educated on their responsibilities.
- Reduces the amount of alcohol available at private parties.



## **Underage Drinking Enforcement Training Center Contact Information**

**1-877-335-1287 toll free**

**Website - [www.udetc.org](http://www.udetc.org)**

**Email address - [udetc@pire.org](mailto:udetc@pire.org)**

**Training Presented By:**  
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