

RISK COMMUNIQUÉ

Liquor Liability

Municipalities just like yourself may conduct social activities, fundraising events, bingo, hall rentals, and carnivals in order to raise funds to generate income for your community. Many of your fundraising events generate a liquor exposure in which either you as the insured will buy alcoholic beverages or the leasing/rental party will buy their own alcoholic beverages and will be responsible for their own distribution. In other cases a caterer will buy and distribute alcoholic beverages at the special event.

The particular state that you reside in has state liquor laws which you are required to abide by.

Understanding your liability as an entity and a server of alcoholic beverages is extremely important. Remember, when you serve alcohol you can be held liable/responsible for serving alcohol to underage and intoxicated individuals.

As a server of alcoholic beverages you may be liable for serving individuals already intoxicated and selling beverages to underage individuals. Specific laws apply to servers or establishments serving alcohol. Two laws which may apply.

- *Common Negligence – specific state laws that set a minimum standard for actions by a responsible person to prevent intoxication.*
- *Dram Shop Liability – a specific state law which outlines penalties for third party lawsuits when alcohol is involved*

Public Legal Climate

- All states have a drinking age of 21 years of age.
- Blood alcohol content levels [BAC] at levels of .08 or .10. Check with your Liquor Control Board.
- Under Dram Shop Liability – if an establishment sells alcohol under a state permit, the law may assess penalties for third party lawsuits when alcohol is involved.
- The law requires that the emergency service organization make a “Reasonable Effort” to prevent intoxication.

Problems

The main causes of problems when serving alcohol are:

- Serving someone under the legal drinking age.
- Serving a visibly intoxicated person.
- Failure to maintain control of the event or premise.

An Effective Liquor Loss Control Program Will Help You:

- Identify the problem.
- Take steps to prevent a potential problem.

This is a sample guideline furnished to you by Glatfelter Public Practice. Your organization should review it and make the necessary modifications to meet the needs of your organization. The intent of this guideline is to assist you in reducing risk exposure to personnel.

For additional information on this topic, you may contact your GPP Risk Control Representative.

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- Reduce your liquor liability exposure.
- Identify intoxicated individuals.
- Identify unacceptable forms of ID
- Intervene if or when an individual is showing signs of intoxication.
- Prevent drinking and driving.
- Document incidents for future records/legal purpose
- Promote a safe and happy social event with responsible drinking behavior.

With the organizations' backing of an effective liquor loss control program, positive influence can be affected on the drinking and the behavior of your guests.

Alcohol Risk Reduction Recommendations for Social Hall or Bar Operations

PRIME recommends that you institute the following procedures to reduce your liquor liability exposure at your hall or bar.

- All members or employees serving alcohol should attend a server training program i.e. **TIPS, TAMS or RAMPS**. Information concerning these seminars can be obtained from VFIS.
- Post your policy concerning the serving of alcoholic beverages. (see attached sample "Alcohol Policy Rules and Regulations")
- All youthful customers should be required to show two (2) pieces of identification, one of which has a photograph. When in doubt "Do not serve alcohol".
- Carefully observe your patrons to detect signs of intoxication, especially customers who may be under the influence of drugs or alcohol when they arrive.
- Signs of intoxication include:
 - Off color jokes
 - Slurred speech
 - Poor coordination
 - Blood shot eyes
 - Dazed expression
- Do not serve alcoholic beverages to any customer who shows signs of intoxication upon arrival or after they have consumed alcohol on the fire department premises. Intervene if a patron who shows signs of intoxication from driving when they leave. Contact local law enforcement immediately. Alternate transportation should be provided.
- Write down any actions you take concerning a problem or intoxicated patron utilizing the PRIME Incident Form.
- It is also recommended that the entity implement the following procedures to reduce your liquor liability exposure.
 - Implement a "designated driver" program that provides alternate transportation to individuals who consume in excess of the legal limit of alcoholic beverages.

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Alcohol Risk Reduction Recommendation for Special Events

If you sell alcoholic beverages at special events such as fairs, block parties, carnivals, crab feasts and picnics, we recommend the following procedures to reduce your liquor liability exposure:

- Servers of alcohol should attend an alcohol server training program such as: **TIPS, TAMS or RAMPS**. Information concerning these programs may be obtained from PRIME.
- The entity should obtain the proper liquor permit/license from the state liquor control board.
- Verify the age of all youthful customers. Two forms of identification should be provided with at least one piece being a photograph ID. When in doubt “Do Not Serve”.
- Separate the area where alcohol is served from the rest of the event.
- Do not allow any customer to take alcoholic beverages out of the designated area.
- Assign one employee to observe the customers. This person should be looking for signs of intoxication and underage drinking.
- Do not serve alcoholic beverages to customers who appear to be intoxicated.
- Do not allow purchasing customers to serve alcoholic beverages to other customers/individuals who appear to be intoxicated or underage.
- Station an employee or extra police patrols in the parking area. Your employees should observe the customers that intend to drive.
- Signs of intoxication include:
 - Bloodshot eyes
 - Glassy-eyed or dazed expression
 - Staggering
 - Poor coordination
- The members should intervene and dissuade the individual from driving. In the event that the individual gets in the car and drives away, immediately contact law enforcement.

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LIQUOR POLICY

RULES AND REGULATIONS

The purpose of this policy is to set forth the position of

with regard to alcohol consumption. Our position is that if one chooses to drink alcohol at social events one should be guided by maturity, restraint and regard for the well being of others.

1. No individual under the age of 21 is permitted to purchase or consume alcoholic beverages on these premises.

Any individual under the age of 21 seen purchasing or consuming alcoholic beverages will be removed from the premises with the proper authorities notified.

2. Proof of age will be required of any guest utilizing our
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3. It is the policy of the _____ to discontinue an event if we believe individuals are becoming intoxicated or unruly. Law enforcement will be contacted if necessary.

4. Any individual who chooses to consume alcohol is strongly encouraged to refrain from driving and to designate a driver who has not been drinking as his or her only source of transportation.

The above mentioned rules and regulations have been formulated for the safety of our guests utilizing our

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