

Park District of the City of Fargo
Alcoholic Beverage Policy
Approved: 06/08/21

OVERVIEW

The sale and/or consumption of alcoholic beverages on property owned or managed by the Park District is prohibited unless the sale and/or consumption is allowed by a duly issued permit from the Park District in accordance with this policy. Permits will be issued for designated indoor and outdoor facilities. For property managed by the Park District, the District will reasonably cooperate in working towards mutually agreeable arrangement whereby alcoholic beverages can be made available and/or sold at events (whether public or private) carried on at the property in accordance with all applicable laws and licensing requirements.

Any sale and/or consumption of alcoholic beverages on property owned or managed by the Park District without a permit is unlawful.

The consumption of alcoholic beverages is common at sporting events in Fargo. However, the consumption of alcoholic beverages should not detract from the programs and the use of facilities of the Park District. Consumption of alcoholic beverages on property owned or managed by the Park District should not be allowed when it will have a detrimental effect on the youth of Fargo. Revenue derived from permits will be used to defray the administrative costs of issuing the permits and any net revenue generated from Consumption Permits will be used for youth recreation programs. Any net revenue generated from Concession Agreements will be used for expenses of the event or facility where the sales were generated.

I. CONSUMPTION PERMITS.

Permits to allow for the consumption of alcoholic beverages on property owned or managed by the Park District may be granted for specified locations and may limit the type of alcoholic beverages that may be consumed at the location under the issued Consumption Permit. Under most circumstances, the Consumption Permit will limit the consumption to alcoholic beverages allowed under the Limited Permit described in Article IV. A security deposit may be required. The Consumption Permit will allow individuals to bring to that location the allowed alcoholic beverages that have been purchased elsewhere. A Consumption Permit does not allow for any sale of alcoholic beverages.

Locations where Consumption Permits are allowed are listed on the attached Schedule A which is specifically incorporated by reference herein as part of the Alcohol Beverage Policy. Schedule A may be amended from time to time by the Board of Commissioners of the Park District.

With the approval of the Board of Commissioners, a consumption permit may be issued for other Park District properties, but only under such terms as the Board of Commissioners shall determine.

The fees and the requirements for a security deposit for a Consumption Permit will be established from time to time by the Board of Commissioners of the Park District.

III. CONCESSION AGREEMENTS.

Permits for the sale of alcoholic beverages will be issued only in conjunction with a Concession Agreement with the Park District. The Concession Agreement between the applicant/seller and the Park District will provide, among other things:

- A) A statement of the concession fee (which may include a percentage of receipts formula) to be paid to the Park District.
- B) A description of the specific facility or property in or on which sales may take place.
- C) A designation of the term for which the permit is issued.
- D) A statement of the security required by the Park District, including procedures to ensure no sales to minors and that the beverages sold will not be taken from the designated facility or property.
- E) A description of the liquor liability and general liability insurance requirements to be maintained by the applicant/seller.
- F) The submission of the applicant/seller's intended advertising for approval by the Park District
- G) A security deposit, as required by the Park District, but in no case less than \$500.
- H) A statement as to whether or not the concession is exclusive.
- I) The applicant/seller's agreement to be responsible for all damage to persons or property caused by or related to its activities under the Concession Agreement, including repairs and clean-up, and its agreement to indemnify and hold the Park District harmless from claims arising out of use of property owned or managed by the Park District and the issuance of the permit.
- J) Seller must have all appropriate City and/or State licenses, and strictly comply with the requirements of such license, including having properly trained servers.

IV. LIMITED ALCOHOLIC BEVERAGE SALE PERMITS.

A Limited Alcoholic Beverage Sale Permit ("Limited Permit"), together with the Concession Agreement required under Article III above, will allow the applicant/seller to sell beer, wine, products such as "hard" lemonade, seltzers and ciders, provided the same are sold in single serving cans or non-glass containers, or in the case of beer, in a keg monitored and serviced by the applicant/seller. The Limited Permit will be issued for a designated indoor facility or outdoor property owned or managed by the Park District. The sale of other spirits is not allowed under a Limited Permit.

Limited Permits may be issued for sales at the sites listed on Schedule B. The Limited Permit for property will be issued for a maximum of three (3) days. With the approval of the Board of Commissioners, a Sale Permit may be issued for other property owned or managed by the Park District but only under such terms as the Board of Commissioners shall determine.

Outdoor sales under a Limited Permit must be from a temporary tent or trailer or from a permanent concession building.

The following conditions apply to all Limited Permits:

- A) Seller must have all appropriate City and/or State licenses, and strictly comply with the requirements of such license, including having properly trained servers.
- B) Seller must have a Concession Agreement with the Park District.

The fee for Limited Permits will be established by the Board of Commissioners of the Park District from time to time.

V. FULL ALCOHOLIC BEVERAGE SALE PERMITS.

A Full Alcoholic Beverage Sale Permit (“Full Permit”), together with the Concession Agreement required under Article III above, will allow the applicant/seller to sell all alcoholic beverages, including beer, wine and other spirits, unless specifically restricted by the Park District, in or on the designated property owned or managed by the Park District.

A Full Permit may be issued for alcoholic beverage sales at or on various Park District properties as determined by the Board of Commissioners or its designated staff. The Applicant/Seller shall make application to the Park District for a Full Permit and, if issued, shall fully comply with all terms and conditions set forth by the Park District for the issuance of the Full Permit. Outdoor sales must be from a temporary tent or trailer, a permanent concession building or, under limited circumstances, from a beverage cart designated for such purpose.

The following conditions apply to all Full Permits:

- A) Seller must have all appropriate City and/or State licenses, and strictly comply with the requirements of such license, including having properly trained servers.
- B) Seller must have a Concession Agreement with the Park District.

The fee for a Full Permit will be established by the Board of Commissioners from time to time.

Alcoholic beverages, including beer, wine and other spirits, may be provided at other property owned or managed by the Park District and/or properties (e.g. the Edgewood

Golf Course and Clubhouse, the Rose Creek Golf Course and Clubhouse and the Osgood Golf Course) under separate agreements between the Park District and the concessionaire, whether that be a direct concession agreement or a leasing arrangement. Those agreements will be reviewed periodically by the Board of Commissioners and staff.

Schedule A
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Consumption Permit Locations

- A. Lindenwood Park (1701 5th St S) – Daily permit.
- Main Shelter
 - Shelters 2, 3 & 4
 - Rotary Shelter
 - Tent Setup for Events – Pond Hockey and Frozen Business Challenge – Event permit.
- B. Oak Grove Park (170 Maple St N) – Daily permit.
- Shelter I (south main)
 - Shelter 2 (north main)
 - Horseshoe Pavilion (season permit only)
- C. Anderson Softball Complex – Season permit & Daily permit.
- Southwest Youth Ice Arena parking lot (4404 23rd Ave SW)
- D. Lindenwood Softball Complex parking lot for Diamonds 5 & 6. (1701 5th St S) – Season permit & Daily permit.
- E. Mickelson Complex parking lot (901 Oak St N) – Season permit & Daily permit.
- F. Rheault Farm (2902 25th St S) – Daily permit.
- Farmhouse
 - Barn
 - Bunkhouse
 - Shelter
 - Entire Site
- G. Rabanus Park Volleyball Complex parking lot (4315 18th Ave SW) – Season permit.
- H. Rabanus Park (4515 18th Ave SW) – Daily permit.
- Shelter
- I. Trollwood Park (Kandi Lane and North Elm Street) – Daily permit.
- East Gazebo
 - West Gazebo
 - Art Mart
 - Main Shelter
- J. Courts Plus Community Fitness (3491 S University Dr)

K. Urban Plains Park (5050 30th Ave S) – Daily permit.

- Shelter A
- Shelter B
- Shelter C

L. Northside Softball Complex (6063 45th St N) – Season permit & Daily permit.

M. Edgewood Chalet, (19 Golf Course Ave N) – Daily permit.

N. Broadway Square (201 Broadway) – Daily permit.

Schedule B

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Alcoholic Beverage Sale Locations- Limited and Full Permits

- A. Anderson Softball Complex (2424 45th St SW) – Limited Permit
- B. El Zagal Golf Course (1400 Elm St N) - Limited Permit
- C. Mickelson Complex (901 Oak St N) - Limited Permit
- D. Rheault Farm (2902 25th St S) - Limited Permit
- E. Rabanus Park (4315 18th Ave SW) - Limited Permit
- F. Island Park (302 7th St S) - Limited Permit
- G. Urban Plains Park (5050 30th Ave S) - Limited Permit
- H. Great Northern Park (425 Broadway North) - Limited Permit
- I. Coliseum (807 17th Ave N) - Limited Permit
- J. Red River Zoo (4255 23rd Ave S) – Limited & Full Permits
- K. Northside Softball Complex (6063 45th St N) - Limited Permit
- L. Southwest Youth Ice Arena (4404 23rd Ave SW) - Limited Permit
- M. Lindenwood Park (1701 5th St S) - Limited Permit
- N. Broadway Square (201 Broadway) – Limited & Full Permits
- O. Oak Grove Park (170 Maple St N) - Limited Permit
- P. Trollwood Park (3664 Elm St N) – Limited Permit
- Q. Rose Creek Golf Course (1500 East Rose Creek Parkway S) - Full Permit
- R. Edgewood Golf Course (19 Golf Course Ave N)- Full Permit
- S. Osgood Golf Course (4400 Clubhouse Dr S)– Full Permit
- T. F-M Curling Club (4300 23rd Ave S)-Full Permit