



## City of Pleasanton Alcohol Waiver Letter Application Process



The following information is provided to assist citizens and non-profit organizations obtain a permit to serve alcoholic beverages during approved special events or ceremonies within the City of Pleasanton. Requests are processed through the Pleasanton Police Department Special Operations Unit.

California Business and Professions Code 24045 provides that a daily license may only be issued to a non-profit organization which is a political party or affiliate supporting a candidate for public office or a ballot measure, an organization formed for a specific charitable or civic purpose, a fraternal organization in existence for over five years with a regular membership, or a religious organization.

Any business which desires to serve or sell alcoholic beverages in any manner within a business, whether the business is open or closed to the public may not do so unless they hire a catering company or restaurant to cater the event. The catering company/restaurant must be licensed through ABC to serve and sell alcoholic beverages as part of their normal business operations and the restaurant/caterer must obtain from ABC a "Caterers' Permit" in addition to their standard ABC license (California Business and Professions Code 23339). This includes events where donations are requested but are not a requirement for entry, i.e. a donation jar. If an event is a fundraiser for a non-profit organization, the non-profit must apply for a one day license to be held at the business location.

A permit is required from the State of California Alcoholic Beverage Control (ABC) for any group or organization to serve or sell alcoholic beverages during an event which is open to the public. A one-day license will only be granted by ABC if the Chief of Police provides a letter of approval for the event. To obtain this letter of approval, the entity must provide the police department a detailed description of the event and a \$10 application fee. Upon review and approval of the required documents, the Chief of Police will issue the letter for the organization, addressed to ABC, which the organizer will then provide to ABC to obtain a one-day license. This letter may be provided to ABC either by mail or in person at the regional office in Oakland, with an accompanying \$25 permit fee.

Generally, a letter from the Chief of Police will be provided within ten days of the submission of the application, if at the time of submission all other requirements have been met. However, it is highly recommended that organizers provide the application at least **45 days in advance** of the event to ensure ample time to address the possibility of additional requirements or permits from other entities.

Without accompanying and required permits from these other entities, the Chief of Police will not provide a letter of approval for the event.

Instructions for submitting an ABC application may be found at:  
<http://www.abc.ca.gov/FORMS/ABC221I.pdf>.

The ABC application may be downloaded from:  
<http://www.abc.ca.gov/FORMS/ABC221-2009.pdf>.

**Other City Department approval:**

If the event is occurring on City operated property, a copy of the applications or rental agreements from other City departments, and insurance coverage if applicable, must be attached.

Planning Department – 200 Old Bernal Ave. 925-931-5600

<http://www.ci.pleasanton.ca.us/pdf/plan-specialevents.pdf>

Parks and Community Services – 200 Old Bernal Ave. 925-931-5340

<http://www.ci.pleasanton.ca.us/services/recreation/facility-rentals.html>

Livermore-Pleasanton Fire Department – 3560 Nevada St. 925-434-2551

<http://www.ci.pleasanton.ca.us/services/fire/fire-prevention-division.html>

**Charity Fundraiser:**

If the event is sponsored by a charity as a fundraiser, the charity must be registered through the California Attorney General's Office, Registry of Charitable Trusts. An overview of regulations which pertain to charities can be located at:  
<http://ag.ca.gov/charities.php>

**Raffles:**

A raffle is defined as a type of lottery in which prizes are awarded to people who pay for a chance to win. Each person enters the game of chance by submitting a detachable coupon or stub from the paper ticket purchased. At least 90 percent of the gross receipts from raffle ticket sales must be used by the eligible tax-exempt organization to benefit or support beneficial purposes in California. Other examples of raffles include Ping Pong Ball Drops, Rubber Duck Races, etc. Raffles may be conducted only by qualifying non-profit organizations. A raffle registration is valid for one year through Attorney General's Office. Additional information about these registration procedures may be found on the web at:  
<http://ag.ca.gov/charities/faq.php#raffles>.

A convenient raffle registration checklist may be found at:  
[http://ag.ca.gov/charities/forms/raffle/raffle\\_checklist\\_05.pdf](http://ag.ca.gov/charities/forms/raffle/raffle_checklist_05.pdf)

**Gaming conditions:**

If your organization intends to host a "Casino Night" or use controlled games as part of your fundraising event, you must comply with Business and Professions Code Section 19985, which includes pre-approval from the Division of Gambling

Control of the Department of Justice. Call or write the Division at 916-263-5380 for advice and an application.

Controlled games are defined under California Penal Code section 337j(e)(1) as “any poker or Pai Gow game, and any other game played with cards or tiles, or both, and approved by the Bureau of Gaming Control, and any game of chance, including any gaming device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.”

According to the Attorney General’s office, a charity is authorized to host a poker or gaming fundraiser, if:

- a. The winnings are only in the form of tickets or tokens; and
- b. The tickets or tokens are used in a raffle at the end of the event; and
- c. All winners have an equal opportunity to win non-cash prizes.

In this situation a permit must be obtained from the Bureau of Gaming Control for the poker or gaming event. However, a permit is not required from the Registry of Charitable Trusts for the associated raffle because it does not meet the definition of a raffle pursuant to Penal Code section 320.5.

As a general guideline, an eligible nonprofit organization is one which has been in existence for three years or more and has registered annually with the Division of Gaming Control. The charity may conduct only one gaming event per year using “Controlled Games” and the duration of the event may not exceed five (5) hours. In addition, businesses that supply gaming equipment and services for fundraising events must also register annually with the Bureau of Gaming Control. Cash prizes or wagers may not be awarded; the cash value of any single prize may not exceed \$500; the total amount of prizes may not exceed \$5,000; Gift cards are not considered cash prizes and may be awarded. Additionally, 90% of all proceeds must return directly to the charity (Business and Professions code section 19985). An overview of Charitable Gambling regulations may be located at: <http://ag.ca.gov/gambling/pdfs/at-a-glance-ab839.pdf>.

Additional information is available through the Bureau of Gaming control at: <http://ag.ca.gov/gambling/charitable.php>, or you may call or write the Division at 916-263-5380 for advice and an application.

A list of frequently asked questions about charities, gambling and raffles may be found at: <http://ag.ca.gov/charities/faq.php>

Additional questions may be addressed to:  
Officer Ken McNeil  
925-931-5233  
[kmcneil@ci.pleasanton.ca.us](mailto:kmcneil@ci.pleasanton.ca.us)

### **Check list for obtaining a letter of approval for an ABC special permit**

The procedure is provided to assist the planning of an event requiring an Alcohol Waiver letter from the Chief of Police

1. Print and complete an ABC application.
2. Compose a cover letter thoroughly describing the event and what activities will be included during the event, including a copy of any fliers or advertising for the event. Minimally this includes a description of the event, expected number of people, type of alcohol being served (beer, wine and/or spirits), how alcohol will be served and by whom, any games or raffles conducted, caterer name, etc.
3. Copy of current charity registration through the California Registry of Charitable Trusts, if applicable.
4. Copy of current Raffle Registration from the California Registry of Charitable Trusts, if applicable.
5. Copy of use agreements from the venue complete with contact information for the manager of the venue (i.e. other City of Pleasanton facilities, Alameda County Fairgrounds, service halls/lodges).
6. City of Pleasanton Planning Department temporary use permit or conditional use permit, if applicable.
7. Copy of insurance as required by event venue or City Department.
8. Application fee of \$10 (check/money order) to the City of Pleasanton
9. Signed and completed Pleasanton Police Department application.



## City of Pleasanton Alcohol Waiver Letter Application



**Event Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Event location:** \_\_\_\_\_

**Detailed Event description:** (Please include a detailed cover letter thoroughly describing the event, how it is being conducted, what is included, how fundraising is facilitated, etc.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Organization Name:** \_\_\_\_\_

**Event organizer:** \_\_\_\_\_

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

**Phone #:** \_\_\_\_\_

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

**Event representative who will be present during event:** \_\_\_\_\_

**Cell phone #:** \_\_\_\_\_

**Name of contact person/manager of the facility:** \_\_\_\_\_

**Facility phone number:** \_\_\_\_\_

**Expected number of participants:** \_\_\_\_\_

**Is there a fee to gain entry to the event?** \_\_\_\_\_ **Amount:** \_\_\_\_\_

**Is there a fee per alcoholic beverage purchased?** \_\_\_\_\_ **Amount:** \_\_\_\_\_

**For alcohol service, how will age be verified during the event?**

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**What procedures will be in place to ensure minors are separated from alcohol service?**

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**Will there be a live band/amplified music or sound?** \_\_\_\_\_

(A permit might be required through the Planning Department or Parks and Recreation Department, depending on location)

**Is security service being provided?** \_\_\_\_\_

Company: \_\_\_\_\_ Phone #: \_\_\_\_\_

Contact person: \_\_\_\_\_

**Will food be served?** \_\_\_\_\_

(Depending on location, a permit might be required through Planning Department, and the event might have to be evaluated by the County Health Department and/or inspected by the Fire Marshal)

**Is there gambling associated with the event?** \_\_\_\_\_

Bureau of Gaming Control approval and authorization attached: \_\_\_\_\_

**Is this event sponsored by or benefitting a charity?** \_\_\_\_\_

Charity registered with Attorney General's Registry of Charitable Trusts \_\_\_\_\_

Non Profit ID Number: \_\_\_\_\_

**Is a raffle as defined associated with this event?** \_\_\_\_\_

Raffle authorization from Attorney General's Office attached: \_\_\_\_\_