

TITLE 4. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL PROPOSED REGULATIONS

Text of proposed language for amendment.

Authority cited: Sections 23300, 23399, 23789, 23790, 23791, 23958 and 25750, Business and Professions Code; Sections 172 through 172.9, Penal Code; Section 22, Article XX, California Constitution.

§ 60.5. Caterer's Permit.

The holder of a caterer's permit issued pursuant to paragraph (a) of Section 23399 of the Alcoholic Beverage Control Act may request consent of the department to sell alcoholic beverages for consumption at designated locations and events. Consent of the department shall be in the form of a caterer's authorization issued pursuant to paragraph (c) of Section 23399 under the following conditions:

- (1) Unless waived by the department, for good cause shown, a catering authorization shall be obtained at least three days in advance of each catered event. A written application therefor shall be submitted indicating the address and common name of the premises to be catered, the number of occasions upon which the applicant has catered the premises during the current calendar year, the name and address of the person or organization sponsoring the event the type of event to be catered, and the estimated attendance thereat.
- (2) A catering authorization shall not be issued for premises which have previously been denied a license by reason of the proximity of consideration points or conflict with a valid zoning ordinance unless a written waiver, executed by the person in charge of each such consideration point, is submitted or, in the case of conflict with a zoning ordinance, executed by the legal representative of the community involved.
- (3) No caterer's authorization shall be issued in an area where the department would not authorize a license because of proximity to a university, State college, veterans home or other institution operated by the State or Federal Government, unless the privileges of the caterer's permit are to be exercised in connection with the serving of bona fide meals, and the exercise of the privileges will not otherwise be contrary to public welfare and morals.
- (4) A catering authorization shall not be issued for use at any one premises for more than ~~24~~ 36 events in one calendar year, except when the department determines additional events may be catered to satisfy substantial public demand.

Authority cited: Sections 23300, 23399, 23789, 23790, 23791, 23958 and 25750, Business and Professions Code; Sections 172 through 172.9, Penal Code; Section 22, Article XX, California Constitution.

Reference: Section 23399, Business and Professions Code.