

ABC PRIVATE PARTY RULES

Lodges, Hall Associations and Masonic Organizations may rent or lease their land or buildings to non-Masonic tenants other than business establishments who serve and sell alcoholic beverages, if the sponsor or caterer is properly licensed by the California Department of Alcoholic Beverage Control. For example, you may rent your building for a wedding reception or similar activity where alcoholic beverages will be served ~~and sold~~ by a **non-licensed** sponsor or caterer **with a Host Liquor Liability insurance policy**. (California Masonic Code-2016)

Section 23399.1 of the California Business & Professions Code explains the circumstances when an alcoholic beverage license is not required:

1. That there is no sale of an alcoholic beverage.
2. That the premises are not open to the general public during the time alcoholic beverages are served, consumed or otherwise disposed of.
3. That the premises are not maintained for the purpose of keeping, serving, consuming or otherwise disposing of alcoholic beverages.

All three of the above elements must exist. If a proposed event meets the statutory definition of a "private party," then no ABC license is required.

What is the legal drinking age in California?

At no time are alcoholic beverages to be served to or consumed by any person under the age of 21.

When must I have an ABC event permit in place?

Under one or more of the following circumstances, an ABC event permit is required at an event.

- The event is open to the public, i.e. no private guest list or someone can walk in uninvited
- There is any admission cost for the event, i.e. ticket price, donation or door charge
- Any other fundraising activities are being held at the event, i.e. silent auction
- Drinks are being sold at the bar, i.e. no-host or "cash" bar
- A licensed caterer is providing the alcoholic beverages
- The event venue requires an ABC permit to be in place for the event

When do I NOT need to have an ABC event permit in place?

An ABC event permit is not required if ALL of the following are true.

- The event is private, i.e. a bona fide guest list restricts access to invited guests ONLY
- The host is providing all of the alcohol
- All drinks are complimentary, i.e. hosted bar
- There is no admission cost for the event, i.e. no ticket price, donation or door charge
- The event venue does not require an ABC permit

Do some event venues require a permit even for private events?

Yes. Event venues are becoming increasingly concerned about non-licensed companies serving alcohol at events and the liability associated with this. In order to insure that a licensed company is serving, a venue may require a permit even if the ABC does not.

If I provide the alcohol for my own event, can my caterer or staffing company serve?

Yes. A non-licensed caterer or event staffing company can serve alcohol providing to them by the host. Make sure that all the criteria for a non-permitted event apply if you are hiring a non-licensed caterer or staffing company. Also, make sure that they provide you a copy of their Liquor Liability insurance policy (not General Liability). This way you know you are protected from any liability resulting from alcohol service.

Note: No provision of the ABC Act may be violated even though the event itself does not require a license. If a license is required, or you have a question about a particular event, you should contact the ABC district office closest to where the event will occur.

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