

CITY OF LANDER
APPLICATION FOR 24 HOUR MALT BEVERAGE/CATERING PERMIT
(Application must be turned in no later than 1 week prior to event)

Name of Organization/Business : _____

Name of Event: _____ Location: _____

Please Designate which application you are applying for: Malt Beverage _____ Catering _____

Wyoming State Statutes state:

A **malt beverage permit** authorizing the sale of malt beverages only may be issued by the appropriate licensing authority to any responsible person or organization for sales at a picnic, bazaar, fair, rodeo, special holiday or similar public gathering. No person or organization holding the special permit shall sell any alcoholic liquor other than malt beverages on the premises described on the permit, nor shall any malt beverage be sold or consumed off the premises authorized by the permit. Malt beverage permits under this subsection shall not be used to operate a continuing business.

A **catering permit** authorizing the sale of alcoholic and malt beverages may be issued by the appropriate licensing authority to any person holding a retail or resort retail liquor license authorizing the off-premises sale of both alcoholic and malt beverages, for sales events not capable of being held within the licensee's licensed premises. No licensee holding a catering permit shall sell or permit consumption of any alcoholic or malt beverage off the premises described in the permit. Notwithstanding any other provision of this subsection, closed-container items sold at auction for the benefit of a nonprofit organization may be taken off-premises. Malt beverage permits under this subsection shall not be used to operate a continuing business.

Under Wyoming Statute § 35-7-124(a), "any person processing, distributing, storing or preparing any food for sale shall obtain a license from the department of agriculture or a local health department [and] no food establishment shall serve, hold for sale or sell food to the public without a valid license." Under Wyoming Statute § 35-7-110(a)(xiii)(C), alcoholic beverages "subject to the Federal Alcohol Administration Act" are considered "food." Under Wyoming Statute § 35-7-110(a)(xi), an "establishment" includes "any place or any area of any establishment in which foods are displayed for sale."

The fee for a temporary establishment license or temporary sampling license is \$25.00 unless the permit is for a non-profit then the fee is waived. The permit can be obtained from the regulatory authority or local health inspector. For a complete listing of the regulatory authority in your area or local inspector by county please visit <http://agriculture.wy.gov/divisions/chs/contacts>

All temporary food establishments must comply with the following list of requirements outlined in the

"Temporary Establishment Requirements" found here:

<http://agriculture.wy.gov/images/stories/pdf/chs/tempfood.pdf>

Permit From ___/___/___ to ___/___/___ Time from _____ to _____

Food Service Permit Must be attached to application.

\$50.00 Fee Per Day Total Fee: \$ _____

Contact Person: _____ Phone: _____

Organization/Business Location Address: _____

Organization/Business Mailing Address: _____

Sales Tax # _____ Liability Insurance Carrier: _____

Organization Email Address: _____

The minimum age of attendees will be _____. **If ALL AGES will be present the applicant MUST explain how minors will be monitored and underage drinking will be prevented.**

Applicant shall provide adequate staff and security at applicant's cost. Adequate security shall be determined by the Lander City Council and/or the Lander Police Department to ensure that minors are not served nor consuming alcoholic beverages in or on the premises nor allowed in the bar area. **Applicant will provide security for event. Names of security will be provided with signatures.**

Name of Security Person

Signature

Applicants that are receiving anything of value (i.e. money, goods and/or services) from any industry representative must answer the following:

As an applicant for a 24 hour malt beverage or catering permit, are you:

A nonprofit corporation organized under the laws of this state: ___ yes ___ no

Qualified as a tax exempt organization under the Internal Revenue Code: ___ yes ___ no

And have been in continuous operation for not less than two (2) years ___ yes ___ no

By filing this application, I agree to operate in Wyoming under the requirements of W.S. 12-4-502 and all other applicable Wyoming laws and rules and to file required sales tax reporting documents and taxes.

By signing this application, I acknowledge for _____
(organization or business name) that all of the information provided is true and correct and that I agree to meet the Wyoming operating conditions specified above. This application must be signed by an owner, partner, corporate officer or LLC/LLP member.

VERIFICATION OF APPLICATION (State of Wyoming requires that signatures must be signed as follows: ALL individuals, ALL partners, ONE (1) LLC Member, TWO (2) Corporate Officers/Directors or TWO (2) Organization Officers. WS12-4-102(b))

Under penalty of perjury and the possible revocation or cancellation of the license, I swear the above stated facts are true and accurate.

Dated this _____ day of _____, 2____

_____ Applicant Signature

_____ Applicant Signature

Police Department

The City of Lander

Approve _____ **Date** _____

A Municipal Corporation

Deny _____ **Date** _____

PD Personnel Initial _____

ATTEST:

Mayor

City Clerk





Mark Gordon, *Governor*
Doug Miyamoto, *Director*
2219 Carey Ave. • Cheyenne, WY 82002
Phone: (307) 777-7321 • Fax: (307) 777-6593
Web: agriculture.wy.gov • Email: wda1@wyo.gov

The Wyoming Department of Agriculture is dedicated to the promotion and enhancement of Wyoming's agriculture, natural resources and quality of life.

Temporary Food Permit Guidance:

A temporary establishment is an establishment that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single event or celebration. A temporary sampling establishment means an establishment that operates for a period of no more than fourteen (14) individual days within three (3) consecutive months in conjunction with farmers' markets or other events held at a single location.

Examples include:

- A food booth at a fair or festival
- A catering kitchen
- A restaurant preparing food offsite
- A rental hall
- A private organization serving food to the public

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Frequently Asked Questions:

Q: Do I need a temporary license for an event that is not on the premise of my current business if I already have a food license?

A: Yes, a facility license is only good for the physical facility and the attached property under the control of the license holder.

Equal Opportunity in Employment and Services

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Q: Do I need a temporary license to sell can soda, bottled water, or alcohol for an event?

A: Yes, selling any food or drink that does not meet the requirements of food freedom or traditional food would require a temporary permit. Additional licenses for the sale of alcohol are required.

Q: What constitutes as an event?

A: An event would be a community-based including state and county fairs, city festivals, circuses, and other public gatherings. An event is not a single establishment deciding to sell food off-premise from an establishment to make more money or an unlicensed facility providing food service.

Q. Can you do a bake sale without a permit?

A. According to the Wyoming Food Freedom Act, a bake sale may not require a permit. Stipulations can be found here: <https://wyagric.state.wy.us/images/stories/pdf/chs/foodfreedom2017.pdf>

Q. Can you make food at home and sell it?

A. According to the Wyoming Food Freedom Act, there are some foods allowed to be sold without a permit. Stipulations can be found here: <https://wyagric.state.wy.us/images/stories/pdf/chs/foodfreedom2017.pdf>

Q. My food is prepackaged; do I still need a permit?

A. Yes, all food sold to the public requires a permit.

Q. Is a permit needed if I am only selling whole uncut produce?

A. No permit is required to sell whole, uncut produce such as tomatoes, melons, and various other fruits and vegetables. A permit is required if the food is to be cut or manipulated in any way.

Q. I am not selling any food or drink, but I will be giving away samples. Do I need a permit?

A. Yes, a permit is required to give food or drink to the public.

Q. My food stand is only to raise money for our club; do I still need a permit?

A. Yes, a permit is usually required for all food vendors. The potential risk attached to handling and selling food is the same, no matter where the proceeds go.

Q. Will an inspector come to look at my food stand?

A. An inspector will visit all food stands - usually early in the event, to make sure that food is being handled safely. However, booth operators are expected to follow the law at all times.