

RESOLUTION NO. 25-R- _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE PERMITTING OF THE SALE, DISTRIBUTION, AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON COUNTY PROPERTY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance ____-____ authorizes the Board of County Commissioners of Marion County ("Board") to adopt rules and regulations for the permitting of the possession, sale, consumption, and distribution of alcoholic beverages on County property; and

WHEREAS, the Board wishes to adopt policies that allow for the safe and reasonable consumption of alcoholic beverages in appropriate locations and circumstances; and

WHEREAS, the Board finds that the possession, consumption, sale, or distribution of alcoholic beverages may be appropriate in the locations and circumstances as described in this Resolution.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. Purpose of Resolution. The purpose of this Resolution is to establish and specify County Policy on the sale, distribution, and consumption of alcohol on County property and to authorize the County Administrator to permit the possession, consumption, distribution, and sale of Alcoholic Beverages on County property if all conditions of this Resolution have been met.

SECTION 2. Policy. It is the Policy that the sale, distribution and consumption of alcohol by the general public on County property be allowed at only specified locations associated with specific types of events and through the prescribed approval processes as provided in this Resolution. The locations and methods of distribution for which a permit may be issued at each Authorized Location are detailed in Section 3.1. of this Resolution. Authorization of the sale, distribution and consumption of alcohol requires approval by the County Administrator, or their designee, in an effort to protect the general population, County property and County employees while complying with all local and state laws. In enacting this Resolution, the County is acting in its proprietary capacity to manage County property and does not intend to create any right to possess, consume, distribute, or sell Alcoholic Beverages that would deny the County the use of its discretion in managing County property. This Resolution is to act to grant the County Administrator the authority to permit the possession, consumption, distribution, and sale of Alcoholic Beverages on County property if all conditions of this Resolution have been met.

The Parks & Recreation Director is responsible for implementing the provisions of this Resolution and shall ensure uniform application and interpretation of Resolution. All existing policies regarding the possession or consumption of alcohol by County employees remain in effect. Proposed exceptions to this Resolution will be considered for maximum benefit of the County.

A. Definitions.

1. **Alcoholic Beverages.** Defined as found in Chapter 3, Section 3-1 of the Marion County Code of Ordinances (the "Code").

2. **Authorized Location.** Defined as County owned or County leased property specifically excepted from the general prohibition of Chapter 3, Section 3-5 and Chapter 14, Section 14-6 of the Code by this Resolution, which may allow for Sale for On-Site Consumption; Complimentary Distribution Events; Small Private Event Distribution; or Non-Event Consumption. Authorized Locations are limited to the following: The Southeastern Livestock Pavilion (SELP) Arenas, SELP Auditorium, SELP Campsites (defined herein) and Certain Open Parks (defined herein).
3. **Certain Open Park.** Defined as an Authorized Location specifically excepted from the general prohibition of Chapter 3, Section 3-5 and Chapter 14, Section 14-6 of the Code and may allow for the permitting of Sale for On-Site Consumption Events, Complimentary Distribution Events, Small Private Event Distribution, or Non-Event Consumption as detailed in this Resolution. Authorized Locations are limited to the following (each defined herein):
 - a. Forest Community Center;
 - b. Gores Landing;
 - c. Horseshoe Lake Park & Retreat;
 - d. Kiwanis Beach; and
 - e. Ma Barker House grounds (excluding interior of house).
4. **Complimentary Distribution Event.** Defined as an event where Alcoholic Beverages are distributed to event attendees with no direct sales transactions at the Authorized location for the purpose of raising funds for Marion County community beneficiaries.
5. **Event Organizer.** The person or entity requesting the use of an Authorized Location and has an executed rental agreement to use such facility.
6. **Forest Community Center.** Defined as the community center at the Marion County park located at 777 S. CR 314A, Ocklawaha, Florida 32179. A Certain Open Park.
7. **General Prohibition.** Defined as not allowed unless specifically provided an exception under this Resolution.
8. **Gores Landing.** Defined as the Marion County park located at 13800 NE 98th Street, Fort McCoy, Florida 34491. A Certain Open Park.
9. **Horseshoe Lake Park & Retreat.** Defined as that Marion County park located at 23532 N.E. 110th Avenue, Fort McCoy, Florida 32134. A Certain Open Park.
10. **Kiwanis Beach.** Defined as that Marion County park located at 15380 S.E. 140th Avenue Road, Lake Weir, Florida 32195. A Certain Open Park.
11. **Ma Barker House grounds.** Defined as the exterior grounds immediately adjacent to the Ma Barker House and specifically excluding the interior of the house at that Marion County park known as Carney Island Recreation & Conservation Area located at 13275 S.E. 115th Avenue, Ocklawaha, Florida 32179. A Certain Open Park.
12. **Non-Event Consumption of Alcohol.** This is defined as consumption of alcohol by individuals who have valid rentals at SELP Campsites, Horseshoe Lake Park & Retreat and Gores Landing only. Alcohol shall be contained within their cabin and/or campsite. Individuals who fall under this definition are exempt from the requirements in Section 3.G. of this Resolution.

13. **Private Alcohol Provider.** Defined as a third party licensed by the State of Florida to sell alcoholic beverages off-site from their primary business, such as a catering company.
14. **Sale for On-Site Consumption Event.** Defined as an event at which a Private Alcohol Provider acts as seller of Alcoholic Beverages to Event Attendees strictly for on-site consumption. No Alcoholic Beverages or Alcoholic Beverage containers are permitted to leave the site.
15. **SELP.** Defined as the Southeastern Livestock Pavilion located at 2232 N.E. Jacksonville Road, Ocala, Florida 34470.
16. **SELP Arenas.** Defined as an Authorized Location, consisting of the three (3) arenas, i.e., the front, back, and sales arenas, of SELP. All areas of SELP, other than the arenas, are specifically excluded from this definition.
17. **SELP Auditorium.** Defined as an Authorized Location located at SELP. All areas of SELP, other than the SELP Auditorium, are specifically excluded from this definition.
18. **SELP Campsites.** Defined as an Authorized Location located at SELP. All areas of SELP, other than the SELP Campsites, are specifically excluded from this definition.
19. **Small Private Event Distribution.** This is defined as small private event of fifty (50) or fewer people in which an individual has rented an Authorized Location and will serve Alcohol Beverages. No on-site sales of Alcoholic Beverages shall take place. Common occurrences include, but are not limited to events such as birthday celebrations, family reunions, gatherings of friends, and similar occurrences.

B. Events and Non-Event

1. Alcoholic Beverages are conditionally allowed at three types of events at Authorized Locations as specified in Section 3.I. of this Resolution:
 - a. Sale for On-Site Consumption Events;
 - b. Complimentary Distribution Events; and
 - c. Small Private Event Distribution;
2. Non-Event Consumption of Alcohol is conditionally allowed at Authorized Locations as specified in Section 3.I. of this Resolution.

SECTION 3. Procedure.

- A. Steps for Sale for On-Site Consumption Events.** For a Sale for On-Site Consumption Events, an Event Organizer applying to County for authorization to distribute Alcoholic Beverages at an event, must complete these three steps. Each step is considered in turn.
 1. Select an Authorized Location and an authorized method of distribution for event;
 2. Select and hire a Private Alcohol Provider; and
 3. Ensure the Private Alcohol Provider submits an Application Packet with all applicable documentation as specified in Section 3.G. of this Resolution.
- B. Steps for Complimentary Distribution Events.** For a Complimentary Distribution Event, an Event Organizer applying to County for authorization to distribute Alcoholic Beverages at an event, must complete these three steps. Each step is considered in turn.

1. Select an Authorized Location and an authorized method of distribution for event;
2. Hire a Private Alcohol Provider; and
3. Prepare and submit an Application Packet with all applicable documentation as specified in Section 3.G. of this Resolution.

C. Steps for Small Private Event Distribution. For Small Private Event Distribution, an Event Organizer applying to County for authorization to distribute alcohol at an event, must complete these two steps. Each step is considered in turn.

1. Select an Authorized Location; and
2. Prepare and submit an Application Packet with all applicable documentation as specified in Section 3.G. of this Resolution.

D. Authorized Locations. The following Authorized Locations are designated as approved County owned or leased properties where the sale, distribution, or consumption of alcohol is allowable in accordance with the specific rules of this Resolution:

1. The SELP Arenas, the SELP Auditorium, the SELP Campsites, and
2. The Certain Open Parks.

E. Authorized Methods of Distribution. Sale, distribution and consumption of alcoholic beverages at Authorized Locations, must fall within one of the following four categories:

1. **Sale for On-Site Consumption Event.** This is defined as an event where an Event Organizer, through its selected Private Alcohol Provider, intends to sell Alcoholic Beverages for on-site consumption by event attendees at an Authorized Location. Common events include, but are not limited to, celebrations and fundraising events with a cash bar, large events such as rodeos, music festivals or concerts.
2. **Complimentary Distribution Event.** This is defined as an event in which an Event Organizer distributes alcoholic beverages at an Authorized Location with no actual sales to event attendees. Common events include, but are not limited to, weddings, Quinceañera, fundraising, and general social events.
3. **Small Private Event Distribution.** This is defined as small private event of fifty (50) or fewer people in which an individual has rented an Authorized Location and will serve Alcoholic Beverages. No on-site sales of alcoholic beverages shall take place. Common occurrences include, but are not limited to, events such as birthday celebrations, family reunions, gatherings of friends, and similar occurrences. Events which fall under this definition are exempt from the requirements in Section 3.F. of this Resolution.
4. **Non-Event Consumption of Alcohol.** This is defined as consumption of Alcoholic Beverages by individuals who have valid rentals at SELP Campsites, Horseshoe Lake Park & Retreat, and Gores Landing only. Alcohol shall be contained within their cabin and/or campsite. Individuals who fall under this definition are exempt from the requirements in Section 3.F. of this Resolution.

F. Private Alcohol Provider.

1. For any event which includes the sale of Alcoholic Beverages to event attendees, only a Private Alcohol Provider may sell and serve alcoholic beverages.
2. The Event Organizer is responsible to select and hire its Private Alcohol Provider.

G. Application Packet to Sell, Distribute, or Consume Alcoholic Beverages.

1. To receive authorization to sell, distribute, or consume Alcoholic Beverages at the SELP Arenas, SELP Auditorium, or a Certain Open Park an Event Organizer shall do the following:
 - a. **Prepare Application Packet.** The Application Packet consists of a completed application and all supporting documentation required based on the event type and location.
 - b. **Timely Submit Same.** Said documentation must be received by the County's Parks & Recreation Director for review and preliminary approval no later than ten (10) days prior to the scheduled event.
 - c. **Receive Written Approval.** An Application Packet receiving preliminarily approval will be routed to the County Administrator, or designee, for final approval. The Event Organizer will receive a written decision.
2. Supporting documentation shall be included in the Application Packet to the extent required by the table in Section 3.H. for each distribution method:
 - a. **Application to Sell, Distribute, or Consume Alcoholic Beverages.** A form to be completed by the Event Organizer or its Private Alcohol Provider which describes the event and desired type of alcohol sale, distribution, and consumption.
 - b. **Facility Rental Agreement or Standard License Agreement.** A contract between an Event Organizer and Marion County providing the rules and policies governing the use of Marion County facilities and provides the cost to use them. The form entered depends upon the facility at issue.
 - c. **State Alcoholic Beverage License.** Any valid license or permit issued by the Florida Department of Business and Professional Regulation to the Event Organizer or Approved Alcohol Provider to sell alcoholic beverages at the event location.
 - d. **Alcoholic Beverage Special Event Permit.** A temporary permit issued by the City of Ocala for special events with Alcoholic Beverages held within the city limits which is not contained within any of the arenas or the auditorium at the SELP.
 - e. **Liquor Liability Insurance.** A liquor liability insurance Resolution with a minimum of a \$1,000,000 per occurrence limit listing Marion County as additionally insured is required for Sale for On-Site Consumption Events and Complimentary Distribution Events
 - f. **Alcoholic Beverages Agreement.** A specific agreement between the Event Organizer and Marion County outlining the terms of the authorization, the requirements of a security plan, as applicable, licensing, insurance, use of profits, and other conditions as required by Marion County.
 - g. **Completed Security Plan and Proof of Security.** An acceptable outline provided by the Event Organizer describing the security plan for the event. The plan shall include the staging, number and expected performance of required security personnel. The Proof of Security is a copy of the security provider's cost for the required security services as outlined in the Security Plan. Security services may be provided by a licensed security provider or law enforcement agency with appropriate jurisdiction.

h. **Additional Documentation.** Local governments may require additional documentation and permits based on jurisdictional requirements.

H. **Required Documentation and Permits Per Distribution Method.** For each distribution method, the extent of required documents differs. A table of required documentation and permits per distribution method is as follows.

REQUIRED DOCUMENTATION AND PERMITS PER DISTRIBUTION METHOD				
Item	Sale for On-Site Consumption Event	Complimentary Distribution Event	Small Private Event Distribution	Approval
Application to Sell, Distribute and Consume Alcoholic Beverages	X	X	X	County Administrator or their designee
Facility Rental Agreement or Standard License Agreement	X	X	X	County Administrator or their designee
Special Temporary Permit (Alcohol Sales)	X			Division of Business and Professional Regulation (State)
Alcoholic Beverage Special Event Permit	X			City of Ocala
Legal Liquor Liability Insurance	X	X		Insurance provider
Alcoholic Beverages Agreement (ABA)	X			County Administrator or their designee
Completed Security Plan and Proof of Security	X	X		County Administrator or their designee with ABA

- I. **Authorized Locations and Methods of Distribution.** A table of methods of distribution based upon Authorized Location is as follows:

AUTHORIZED LOCATIONS AND METHODS OF DISTRIBUTION				
Location	Sale for On-Site Consumption Event	Complimentary Distribution Event	Small Private Event Distribution	Non-Event Consumption of Alcohol
SELP Arenas (3)	X	X		
Forest Community Center	X	X	X	
Horseshoe Lake Park & Retreat	X	X		X
Kiwanis Beach	X	X	X	X
Ma Barker House	X	X		
SELP Auditorium	X	X	X	
SELP Campsites				X
Gores Landing				X

SECTION 4. Specific Rules.

- A. Parks & Recreation employees responsible for facilitating Facility Rental Agreements or Standard License Agreements shall inquire whether the Event Organizer is pursuing authorization to sell or distribute Alcoholic Beverages prior to entering any agreements.
- B. Parks & Recreation employees shall provide each Event Organizer with an overview of the approval process, required documents, fees, and timeline upon learning Event Organizer’s intention to sell or distribute alcoholic beverages.
- C. The Parks & Recreation Department shall include all fees and/or surcharges for the sale, distribution, and consumption of alcoholic beverages at the Authorized Locations in a Fees Resolution.

SECTION 5. Responsibilities.

- A. The County Administrator, or their designee, is responsible to ensure the Parks & Recreation Department complies and enforces this Resolution.
- B. The Parks & Recreation Department Director has the following responsibilities:
 1. Adhere to this Resolution and the procedures it prescribes.
 2. Enforce county rules and regulations regarding activities in County parks and facilities (Marion County Code of Ordinances, Chapter 14 – Parks and Recreation; Marion County Resolution 13-R-262, as same may be amended from time to time).

3. Enforce County rules and regulations with regard to the use of County property and facilities as set forth by this Resolution and the policies referenced in the Risk and Benefit Services Procedures Manual.
4. Establish a clear and consistent process for an Event Organizer to request approval to sell, distribute, and consume alcoholic beverages at the Authorized Locations.
5. Provide excellent customer service by guiding and assisting every Event Organizer through the approval process.
6. Provide adequate staffing of approved events to ensure all requirements are being followed.
7. Report any violations of this Resolution and the included procedures to the County Administrator, or his or her designee.
8. To deny any insufficient application and, if the Director finds it warranted, to recommend to the County Administrator, or his or her designee, to deny future applications made by the same Event Organizer or client based on non-compliance.

SECTION 6. Construction. It is the intent of this Resolution allowing for the permitting of the possession, sale, consumption, and distribution of Alcoholic Beverages on County property to be interpreted narrowly to provide rules and regulations for the circumstances in which a permit may be granted. This does not permit Alcoholic Beverages in any location not specifically mentioned in this Resolution. In the event of any inconsistency between provisions of this Resolution, the more restrictive interpretation, construed in favor of greater regulation and the general prohibition on Alcoholic Beverages on County property, shall govern.

SECTION 7. Denial of Authorization. An applicant may appeal denial by the County Administrator of authorization to possess, consume, distribute, or sell Alcoholic Beverages to the Board of County Commissioners. The Board of County Commissioners shall exercise their sound discretion in determining to authorize the possession, consumption, distribution, or sale of Alcoholic Beverages on County property.

SECTION 8. Effective Date. This Resolution shall take effect on the effective date of Ordinance 25__-__.

DULY ADOPTED this ____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA

KATHY BRYANT, CHAIRMAN

ATTEST:

GREGORY C. HARRELL, CLERK