

How can I serve outside my bar during an event going on outside?

There are a couple ways to lawfully serve alcohol directly outside your bar:

Submit an Alteration Form prior to the event to extend your licensed premises before you intend on participating in the event. The form must include both your current and proposed floor plans.

- You may request a seasonal outdoor space event area for your licensed premises.

How to avoid common mistakes:

- Incomplete applications: The form must include both your current and proposed floor plans.
- Serving before approval: You must receive Department approval of your alteration.
- Not contacting building, health, and fire officials for inspections: The Department must receive all inspection approvals before we are able to approve the alteration, including the Department of Justice final premises inspection.
- Waiting to send in the alteration form: The Department needs enough time to work an alteration case. This includes receiving the inspections from other agencies. The Department recommends allowing at least two weeks.

Cater the event with your alcohol catering endorsement:

- Contact the sponsor of the event.
- Have a contract with the sponsor of the event.
- Notify local law enforcement using the Catering Event Request / Local Law Enforcement Notification Form found available at MTRevenue.gov.
- An event barrier shall be required to clearly mark where the sale and service of each licensee's alcoholic beverages is allowed.

How to avoid common mistakes:

- Sponsoring your own event: You must have an executed written agreement with the event's sponsor.
- Not notifying or paying law enforcement: You must notify local law enforcement and pay the \$35 fee.

- Not reporting the event: The Department must receive the electronic form by the 15th of the month after the event occurred.

Remember:

- You may only have alcohol your bar has sold to your customers on your licensed premises. No outside alcohol is allowed.
- You may only have your employees sell alcohol on your licensed premises.
- If you choose to cater the event you may have the following serve alcohol:
 - You or your employees
 - Volunteers
 - An alcoholic beverage manufacturer or vendor, its employees, or registered vendor representatives if:
 - you give explicit consent;
 - the alcoholic beverage manufacturer or vendor holds a current alcoholic beverage license, registration, or permit from the department; and
 - each person listed above serving alcoholic beverages is current with the Responsible Alcohol Sales and Service Act, provided in 16-4-1005, MCA, prior to the commencement of the catered event.
- Do not sell to intoxicated people.
- Do not sell to anyone under the age of 21.

*All licensees must comply with all Montana alcoholic beverage laws and rules.

Alteration: ARM 42.13.111(1) and 42.13.106

Catering: 16-4-111 and 16-4-204, MCA and ARM 42.12.106(8), 42.12.106(9), and 42.12.128

Find the forms Alteration Request and Catering Event Request Local Law Enforcement Notification on our website at MTRevenue.gov/Forms.

3.2021 (Please note that information in Department Communications may have been modified, superseded, or made obsolete by changes in federal or state law or the Administrative Rules of Montana. If you need to verify the current validity of any Department Communications, contact us.)