



Application for Use of Streets and/or Public Property, Special Event (Serving Beer/Liquor) Permit, and/or Food Truck or Mobile Merchant Permit

Representative/Applicant's Name: _____

Applicant's Phone Number(s): _____

Applicant's Email (if available): _____

Sponsoring Organization: _____

Contact Information for Sponsoring Organization (if different than applicant): _____

Mailing Address: _____

Date of Application: _____

Return completed applications and supplemental materials to the Executive Secretary, 3rd Floor of City Hall, 101 N. 2nd St., Guthrie, Oklahoma, 73044, by fax at (405) 282-0192, or by email to apost@cityofguthrie.com. Questions? Call (405) 282-0496. Please allow 48 hours for the processing of all applications and permit requests.

For Which of the Following Are You Applying? (choose more than one if necessary)

Use of Streets or Public Property
↪ [Complete Section 1 \(p.2\)](#)

Special Event Permit (Serving Beer/Wine/Liquor)
↪ [Complete Section 2 \(p.3\)](#)

Food Truck or Mobile Merchant Sales Permit
↪ [Complete Section 3 \(p.4\)](#)

Section 1: Request for Use of City Streets or Public Property (not state-owned highways)

Event Name: _____

Event Location(s): _____

Date(s) and Times of Event: _____

Requested City Services: Please check the box next to the services you need, then give as much detail as possible about how many/much, when, and where services are needed. *City reserves the right to recover costs for non-community and/or fee-based events.*

Police Services (patrol, traffic control, etc.) - *Describe what kind, where, and when:*

Fire/EMS Services (vehicles access, etc.) - *Describe what kind, how many, where, and when:*

Streets (barricades*, cones, etc.) - *Describe what kind, where, and when:*

Mowing/Trimming- *Describe what kind, where, and when:*

Trash (Do Not select if Applicant will perform pick up) - *Describe what kind, where, and when:*

Water- *Describe where and when:*

Electricity (Do Not select if using a generator) – *Describe where, when, and amperage needed:*

The following are required for your application to be processed:

---Applicant, please initial next to each item to acknowledge you will provide the following---

_____ **Proof of Notification of Affected Businesses/Persons:** *Applicant is required to contact all persons, businesses, etc. affected by the proposed closure or use. Complete and return [Worksheet A](#) as proof of notification with your application.*

○ *Select this bullet if this requirement is not applicable to your event.*

_____ **Proof of Liability Insurance:** *Attach proof of insurance for a general liability policy effective for the date(s) indicated in the amount of \$500,000 in bodily injury liability per occurrence and \$500,000 in property damage per occurrence or a combined limit of \$1,000,000 per occurrence. The City of Guthrie should be named as the Certificate Holder.*

_____ **Map:** *Attach a map to indicate area(s) used, street closures, barricade/cone placements, electric hookups, water hookups, etc.*

_____ **Clean Up:** *Applicant must perform a general clean up of the area used, including picking up all litter, trash, and loose debris.*

**Please refer to the [City of Guthrie Barricade Policy](#) (attached) if requesting barricades. Barricades are required if activity/event involves pedestrians or spectators and will impact roadways/traffic.*

Section 2: Special Event Permit (Serving Beer/Wine/Liquor) Application

Name of Event: _____

Event must be a community-wide event or part of a community-wide event occurring between the hours of 11:00 am to 11:00 pm in the Capitol Townsite Historic District of Guthrie. Permit is not subject to private property.

Date(s) of Operation/Sales: _____

Please supply the following with your application:

- Site plan:** Provide a site plan showing the proposed area(s) where intoxicating (liquor, wine) or non-intoxicating (beer) beverages are to be served. **The site must be within the Capitol Townsite Historic District of Guthrie in order for the request to be considered.**
- Proof of Liability Insurance:** Attach a certificate of liability insurance coverage that includes host liquor liability with limits for personal injury and property damage not less than \$500,000 in bodily injury liability per occurrence and \$500,000 in property damage per occurrence or a combined limit of \$1,000,000 per occurrence. The City of Guthrie should be named as the Certificate Holder.
- Proof of Oklahoma ABLE Commission License(s) or Logan County Low-Point Beer Permit(s) from any and all vendors of intoxicating or non-intoxicating beverages:** By signing, applicant certifies that they have a copy of each license from the Oklahoma ABLE Commission to sell and distribute intoxicating beverages and/or a license from Logan County to sell and distribute low-point beer from each vendor serving the same at the event.
- Permit fee:** Submit the applicable fee(s). A fee of \$55.00 is assessed **per event**. Permits are valid only for the event dates and times as listed on this application, and may only be during the hours of 11:00 a.m. to 2:00 a.m. daily.

I, _____, agree to abide by all applicable laws and ordinances of the City of Guthrie and to indemnify and hold the City harmless from any and all liability arising out of the use or condition of the premises and/or from beer or liquor sales. I also agree to abide by specific conditions placed on the use request as may be set by the City Manager or City Council.

Signature of Applicant

Date

The City Ordinance governing Beer & Liquor Sales is attached (Exhibit 1- Ordinance 3291).

Section 3: Food Truck or Mobile Merchant Permit Application (Annual)

1. Business/Company Name: _____
2. Truck Operator's Driver License Number: _____
3. Name & Contact Information for on-site Manager/Supervisor (if different than applicant): _____

Has the on-site Manager/Supervisor been convicted of a crime, misdemeanor, or violation of a City ordinance? Yes No

If yes, please list the offense and punishment assessed thereafter: _____

4. Proposed Dates and Times of Operation (attach a separate sheet if necessary): _____

- Site plan:** *Attach a site plan showing the proposed location(s) where the vendor will operate, marking corresponding dates of operation. Location must be approved by the director of development:*

Signature of Development Director

Date

- Advertising plan:** *Include a brief statement of the nature and character of advertising done or proposed to be done in order to attract customers.*
- Proof of Liability Insurance:** *Attach a certificate of liability insurance coverage that includes liability with limits for personal injury and property damage not less than the City's limits of liability under the Governmental Tort Claims Act.*
- Proof of License from Oklahoma State Department of Health:** *Attach copy of a current Food Service Establishment License issued by the Oklahoma State Department of Health (and/or renewals, as provided, if applicable).*

- Proof of Sales Tax Permit or Charitable Exemption:** *Provide a copy of the current Sales Tax Permit issued to the vendor or applicant, including the sales tax permit number, or if the applicant is a charitable or religious organization, a copy of the applicant's state sales tax exemption.*
- Permit fee:** *Submit the applicable fee of \$75.00 per year.*

The City Ordinance governing Mobile Food Vendors is attached ([Exhibit 2- Ordinance 3259](#)).

Barricade Policy: Street Closure/Use of Public Property

1. **Purpose:** The City of Guthrie provides services to its citizens in a consistent manner and does not “give away” services for the profit of businesses and contractors.
2. **Policy:** It is the policy of the City of Guthrie to lend its barricades to the citizens of Guthrie only for non-profit activities such as events that affect the city as a whole, block parties, school activities, and church activities.

It is the policy of the City of Guthrie to require a **48 hour minimum notice** for the use of barricades for these events and activities. A request form must be submitted to the City Manager’s office. There will be not charge for the use of barricades. The City will deliver the barricades to the requested site and retrieve the barricades following the event. The requesting organization is responsible for setting the barricades into position prior to the event and removing them when the event is over.

The request must be submitted through the proper channels. The City reserves the right to deny a request that is not submitted under the guidelines of this policy.

It is the policy of the City of Guthrie **not** to lend its barricades to businesses, contractors, or individuals. Businesses, contractors and individuals are required to obtain barricades and other job site safety equipment through a company that provides those items.

The City may require removal or rearrangement of the barricades, if in the City’s sole opinion (a) barricade(s) is/are improperly installed or located or creates a dangerous condition for the public or participants of the event for which the barricades are in use.

Exhibit 1: Ordinance 3291 (Special Events Serving Non-intoxicating or Intoxicating Beverages)

An Ordinance amending Chapter Two, Article Three (Beer Gardens) and Chapter Two, Article Five (Special Event Permit) of the Municipal Code of the City of Guthrie, Oklahoma, merging the articles and revising certain sections relating to the municipal protocol for beer gardens and special event permits, as it applies to no-intoxicating and intoxicating beverages. Unless otherwise specifically provided for in this article, this Ordinance provides for severability, repealer and declares an emergency.

Be it ordained by the Mayor and City Council of the City of Guthrie, Oklahoma:

Section 1, Article 3: Special Events Serving Non-intoxicating or Intoxicating Beverages

Sec. 2-100. Permit Required.

No person shall hereafter keep, maintain, conduct or operate any Special Event in the city which distributes Intoxicating or Non-Intoxicating Beverages without first obtaining a permit and paying the fee provided herein. (Ord. 3025, passed 8-19-97; Am. Ord. 3052, passed 8-17-99)

Sec. 2-101. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Designated Area. The premises on public property approved by the city for operation of a beer garden.

Historic Preservation District. The Capitol Townsite Historic District as defined in Section Three of the Guthrie Historic Preservation Ordinance (Ord. No. 3075).

Intoxicating Beverages. All beverages containing more than 3.2% alcohol by weight, and mixed alcoholic beverages (example includes wine).

Non-intoxicating Beverages. All beverages containing more than ½ of 1% alcohol by volume and less than 3.2% alcohol by weight (example includes beer).

Person. Any individual, firm, partnership, association or corporation, whether conducted for profit or not for profit.

Special Event Permit. An annual permit allowing a person to sell and distribute Intoxicating beverages (with a valid ABLE Commission License), or to sell and distribute Non-Intoxicating beverages (with a valid County License), within Designated Areas for Intoxicating beverages and Historic Preservation District for Non-intoxicating beverages or within enclosed structures, for occasional and limited duration.

Sec. 2-102. Non-intoxicating and Intoxicating Beverages Permits – Application.

(A) Application for a Special Event Permit where intoxicating and/or non-intoxicating beverages are sold or distributed shall be made to the Office of the City Manager and may be granted upon satisfying the conditions set forth in this article. The application shall contain the following information:

(1) The name, address and telephone number of the applicant; (The applicant shall be the actual person who will operate within the Special Event.)

(2) A site plan showing the proposed designated area for the Special Event; the site plan shall include a statement from the sponsoring organization of the community-wide activity approving the

proposed location of the Special Event. The sponsoring organization will designate on the site plan the location for multiple vendors, if there will be more than one.

(3) The dates when the Special Event shall be conducted;

(4) A copy of the applicant's current on-premises low-point beer license issued by Logan County;

(5) Each vendor shall present a certificate of liability insurance coverage, including host liquor liability, with limits for personal injury and property damage not less than the city's limits of liability under the Governmental Tort Claims Act;

(6) A statement, signed by the applicant and each vendor, certifying that if a permit is approved, the applicant agrees to abide by all applicable laws and ordinances of the city and to indemnify and hold the city harmless from any and all liability arising out of the use or condition of the premises or operation of the Special Event; and

(7) Other information as the City Manager deems appropriate.

(B) No permit shall be issued for a Special Event unless application for the same is submitted to the Office of the City Manager at least three working days in advance of the community-wide activity. Applications for Special Events will be considered in the order received.

Sec. 2-103. Special Events Permits: Conditions for Approval.

(A) Special Event Permits shall not exceed the period of the celebration, event or festival for which it is part.

(B) Only those persons holding a current valid license for on-premises consumption of low-point beer from Logan County, pursuant to this chapter and other applicable state or county licenses, shall be eligible to sell or distribute non-intoxicating or intoxicating beverages.

(C) The designated area for intoxicating beverages shall be restricted to areas clearly-marked with a nonmetallic fence or barricade not less than three feet in height and made of sufficient material to prevent litter generated within the Special Event from blowing outside the area. The fence or barrier shall comply with all city ordinances regarding sight clearance at intersections. Ingress and egress to the designated area shall be from public property. Non-intoxicating beverages shall be limited to serving capacity of one person for each ten square feet of designated area.

Sec. 2-104. Special Event Fees.

(A) For each Special Event a fee designated in the Schedule of Fees as compensation for the exclusive use of public property, plus a refundable cleaning deposit will be required. A permit shall be issued only for the designated area shown in the original application.

(B) Permits shall not be transferable to other persons or other designated areas. Except for the cleaning deposit required herein, neither refunds nor credits, in full or pro rata, shall be made for operating a Special Event for less than three days duration for any reason, inclement weather included.

Sec. 2-105. Continuing Compliance.

It shall be unlawful for any person to operate or maintain a Special Event selling or distributing intoxicating beverages, except in continuous conformity with the following regulations:

(A) Special Event Permits may be used on the approved dates from 11:00 a.m. to 2:00 a.m. daily.

(B) All beverages shall be sold or dispensed in non-glass containers unless otherwise granted permission by the City Manager.

(C) Each Special Event, while in operation, shall be conducted in conformance with all applicable city, county and state laws regulating the dispensing and on premises consumption of low-point beer, and all other applicable laws and ordinances.

(D) The permit issued pursuant to this article shall be kept on the premises of the Special Event during all hours of operation and shall be made available for inspection upon request of law enforcement authorities of the city.

Sec. 2-106. Penalty.

(A) Any person who violates any provision of Article 3 or who allows or attempts to allow a Special Event Permit to be used by another person to operate a Special Event, or who applies for a Permit with the intent to transfer or attempt to transfer the Permit, shall be guilty of an offense, and upon conviction thereof, shall be fined up to \$200, plus costs. Each day of violation shall constitute a separate offense.

(B) Any person convicted of violating any provision of Article 3 or any provision of this chapter shall not be eligible to receive a Special Event Permit for a period of one year following the conviction.

SECTION 2: All other provisions of Chapter 2 of the Guthrie Municipal Code not amended by this Ordinance shall remain in full force and affect.

SECTION 3: Any Ordinance in conflict with this Ordinance is repealed.

SECTION 4: For the preservation of the public peace, health, and safety of the citizens of the City of Guthrie, an emergency is hereby declared to exist, whereupon this Ordinance shall be in full force and effect upon its passage and approval.

Exhibit 2: Ordinance 3259 (Mobile Food Vendors & Merchants)

An ordinance amending the Guthrie City Code Chapter 5: Business and Occupations, Article 9 Canvassers, Solicitors, Itinerant Merchants and Peddlers. Amendments include the Title; Section 5-125, License Required; Section 5-126, Definitions; Section 5-127; Application Fee; Section 5-130, Display Hours of Solicitation.

Be it ordained by the Mayor and City Council of the City of Guthrie, Oklahoma, that:

Section 1: The Title of the Guthrie City Code, Chapter 5, Businesses and Occupations, Article 9 be amended to read as follows: Mobile Food Vendors, Canvassers, Solicitors, Itinerant Merchants and Peddlers.

Section 2: That the Guthrie City Code, Chapter 5, Business and Occupations, Section 5-125, License Required, will now read: It shall be unlawful for any Mobile Food Vendor, Canvasser, Solicitor, Itinerant Merchant or Peddler as defined in Section 5-126, to engage in such business within the corporate limits of the City without first filing a completed application for license and obtaining a license in strict compliance with the provisions of this article.

Section 3: That the Guthrie City Code, Chapter 5, Business and Occupations, Section 5-126, be amended to include the following:

Sec. 5-126. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Critical violations or priority issues means violations noted in an inspection of a food establishment that is more likely to contribute to food contamination, illness, or environmental health hazard and is denoted on OAC 310:257-15-41.

Food means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale, in whole or in part, for human consumption.

Food service establishment.

- (1) The term “food service establishment” means any place where food is prepared and intended for individual portion service, and includes the site at which individual portions are provided. The term “food service establishment” includes the following:
 - a. Establishments which are covered by the permit, license or certificate requirement of the state.
 - b. Any such place regardless of whether consumption is on or off the premise and regardless of whether there is a charge for the food.
 - c. Delicatessen-type operations that prepare sandwiches intended for individual portion service.
- (2) The term “food service establishment” does not include private homes where food is prepared or served for individual family consumption, the location of food vending machines, and supply vehicles.

Law includes all applicable federal, state and local statutes, ordinances, and regulations.

Mobile Food Service Establishment

- (1) Means one of two types of mobile food units:
 - a. A restricted unit that offers only prepackaged food in individual servings; beverages that are not potentially hazardous and are dispensed from covered urns or other protected vessels; and prepackaged frozen foods. Preparation, assembly or cooking of foods is not allowed.
 - b. An unrestricted unit that may serve food as allowed in (a), may cook, prepare and assemble a full menu of food items;
- (2) An unrestricted unit must be secured and completely enclosed.
- (3) Foods such as hot dogs, coffee, or shaved ice, or food with prior approval from the Logan County Health Department, may be served from vehicles with three sides and a cover.

This definition includes the following categories of mobile food establishments: full-service mobile, pre-packaged mobile, pushcart, and prepackaged pushcart, as set forth in OAC 310:251-17-1 through 310:257-17-6 and other Oklahoma State Department of Health regulations and guidelines issued in accordance with 63 O. S. § 1-1101, *et seq.*

Packaged means bottled, canned, cartoned, or securely wrapped.

Person includes any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, governmental entity, or any other legal entity, or their legal representatives, agents or assigns.

Person in charge means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

Regulatory authority means the state and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

Repeated violation means violation of the same item on two consecutive inspections.

Supervisory personnel means the certificate holder, individuals having supervisory or management duties and any other person working in a food service establishment who may be in charge of its operation.

Temporary means a food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

Section 4: That the Guthrie City Code, Chapter 9, Businesses, Section 5-127, be amended to read as follows:

Sec. 5-127. Application.

Applicants for license under this article shall file a written sworn application signed by the application, if an individual, or by a majority of partners if a partnership, and by the

president or chief executive officer if a corporation, association, club or society with the city clerk showing:

- (1) With respect to the applicant:
 - a. Name, permanent address and local address, if any, telephone number, and driver's license;
 - b. Name of the person having the management or supervision of the applicant's business during the time such business will be carried on in the city; the permanent address or addresses of such person; the local address of such person;
 - c. Name and address of the person, firm or corporation for whose account the business will be carried on, if any;
 - d. Capacity in which the applicant will act (that is whether as proprietor, agent, or otherwise):
 - e. If applicant is a corporation, under the laws of what state the same is incorporated;
- (2) Subsections (4), (5), and (9) shall not apply to an applicant for an itinerant merchant's license operating a mobile food service establishment as defined by Section 12-20 of this code.
- (3) The operator of a mobile food service establishment as defined by Section 12-20 of this code applying for an itinerant merchant's license shall provide the City Clerk a copy of a current Food Service Establishment License issued by the Logan County Health Department. Said operator shall provide the City Clerk a copy of any renewal of such Food Service Establishment License within thirty (30) days of receipt thereof during the term of any itinerant merchant's license issued under this section.
- (4) The place or places in the city where it is proposed to carry on applicant's business;
- (5) The length of time during which it is proposed that said business shall be conducted;
- (6) If applicant is applying for an itinerant merchant's license, the place, other than the permanent place of business of the applicant where applicant within the six months next preceding the date of said application conducted a temporary business, stating the nature thereof and giving the post office and street address of any building or office in which such business was conducted;
- (7) With respect to the goods, wares, or merchandise to be sold or offered for sale, a statement of:
 - a. Their nature or kind;
 - b. Their invoice value or quality;
 - c. Whether they are to be sold at auction, or by direct sale, or by direct sale and by taking orders for future delivery;
 - d. Where they are manufactured or produced;
 - e. Where they are located at the time the application is filed;
- (8) A brief statement of the nature and character of the advertising done or proposed to be done in order to attract customers (such as handbills, circular newspaper advertising, radio advertising, etc.);
- (9) Whether or not the person having the management or supervision of the applicant's business have been convicted of a crime, misdemeanor or the violation of any city ordinance, the nature of such offense and the punishment assessed therefor;

- (10) A copy of the applicant's state sales tax permit including the sales tax permit number, or if the applicant is a charitable or religious organization, a copy of the applicant's state sales tax exemption;
- (11) If the application requests an itinerant merchant's license, written approval from the director of development services, or designee, approving the place within the city where the temporary business will be located.

Section 5: That the Guthrie City Code, Chapter 5, Section 5-130, Display: Hours of Solicitation be amended to include the following:

Sec. 5-130. Display: Hours of Solicitation.

The license for any food vendor must be available to present when asked.

-----Internal Use Only: Comments & Approvals-----

Event Name: _____

Event Date(s): _____

Department Approval

Comments:

- Police
- Fire
- Public Works
 - Director
 - Streets
- Finance/City Clerk
- Community & Economic Development

City Manager

Date

Notification of Approval Sent to Applicant:

Date: _____

Time: _____