



# TEMPORARY SALES LICENSE – NONPROFIT (TSL-NP)

## **ELIGIBILITY FOR A TSL-NP**

To be eligible to obtain a TSL-NP from the OLCC you must be one of the following:

1. A nonprofit or charitable organization registered with the Oregon Secretary of State's (SOS) office with an issued Oregon Registry Number (not EIN). Note that the OLCC can't recognize the organization as a registered nonprofit if the organization can't provide the Oregon Registry Number. Common examples of when the OLCC can't recognize the organization as a registered nonprofit are:
  - The organization is registered with the federal government as a nonprofit but is not registered with the Oregon Secretary of State's office as a nonprofit.
  - A local organization is affiliated with a national organization that is registered with the federal government as a nonprofit but the local organization is not registered with the Oregon Secretary of State's office as a nonprofit.
2. A political committee that has filed a statement of organization under ORS 260.039 or 260.042.
3. A state agency.
4. A local government, or an agency or department of local government.

## **TSL-NP LICENSE PRIVILEGES**

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area.
- Sell at retail manufacturer-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled spirits.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.
- Marijuana use is not allowed: The use of marijuana (both recreational and medical) is not allowed on your special event licensed premises.

## **CONDUCTING AN AUCTION OR RAFFLE WITHOUT AN OLCC TSL-NP LICENSE**

- ONLY a nonprofit or charitable organization with an issued Oregon Registry Number may obtain OLCC approval (with no OLCC cost) to conduct an auction/raffle without an OLCC TSL-NP license.
- OLCC may approve only one auction/raffle without an OLCC license per organization in a 12-month period.
- The organization must receive written approval from the OLCC prior to conducting the auction/raffle. There is no OLCC fee to obtain this approval. The auction/raffle application form is on the OLCC web site or contact the OLCC office regulating the county in which your event will happen.
- Once approved, the organization may sell at auction or raffle factory-sealed containers of wine, cider, malt beverages, and not more than four liters of distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol).
- The auction/raffle may not last longer than one day (a day is from 7:00 am to 2:30 am on the succeeding calendar day).
- The wine, cider, malt beverages, and not more than four liters of distilled liquor may have been purchased by or donated to the organization.
- The purchased or donated wine, cider, malt beverages, and not more than four liters of distilled liquor must be imported into Oregon by the OLCC or be manufactured in or imported into Oregon under a brewery, brewery-public house, distillery, grower sales privilege, winery, or wholesale malt beverage and wine license.
- Raffle tickets may be sold prior to the drawing; however, the drawing may be held only on the day the raffle is held and the winner is determined.
- The organization may deliver or arrange for delivery of the alcoholic liquor to the patron.

### **TSL-NP WITH AN APPROVED AUCTION OR RAFFLE FOR THE SAME EVENT**

Under some circumstances it is permissible for a nonprofit organization to have both a TSL-NP and an OLCC-approved auction/raffle for the same event. Contact the OLCC office regulating the county in which your event will happen.

### **COMMON EXAMPLES OF WHEN A NONPROFIT DOES OR DOESN'T NEED AN OLCC TSL-NP LICENSE**

#### **A. DOES NEED**

1. By the sealed container.
  - Example: A person provides payment directly to the nonprofit and in return the nonprofit provides the person with one or more manufactured-sealed containers of malt beverages, wine, or cider meant for drinking off of the special event licensed area. NOTE: unless allowed under an auction or raffle approved by the OLCC, selling manufacturer-sealed containers of distilled liquor is not allowed. Because the nonprofit is directly accepting money and providing the alcohol the nonprofit **does need** a TSL-NP liquor license.
  - Example: A "Wine Wall." A person buys something (ticket, cork, etc.) from the nonprofit and in return the person is allowed to select a sealed container of malt beverage, wine, or cider (but not distilled spirits) meant for drinking off of the special event licensed area. This is not an auction or a raffle, but it is selling alcohol; and therefore, the nonprofit **does need** a TSL-NP liquor license.
2. By the drink for consumption at a premises that does not have an OLCC liquor license.
  - Example: A person provides payment directly to the nonprofit and in return the nonprofit provides the person with an open container of alcoholic beverage meant for consumption on the special event licensed area. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because the nonprofit is directly accepting money and providing the alcohol the nonprofit **does need** a TSL-NP liquor license.
  - Example: A person buys a ticket from the nonprofit or the nonprofit requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcohol at no additional cost to the person. Because the nonprofit is directly accepting money and providing the alcohol the nonprofit **does need** a TSL-NP liquor license.
3. By the drink for consumption at an event where the premise does have an OLCC liquor license but it's the nonprofit that accepts payment from the person and also directly provides (serves) the alcohol to the person.
  - Example: A person provides payment directly to the nonprofit and in return the nonprofit provides the person with an open container of alcoholic beverage meant for consumption on the special event licensed area. The alcoholic beverage could be malt beverages, wine, cider, or distilled liquor (also known as distilled spirits, hard liquor, and hard alcohol). Because the nonprofit is directly accepting money and providing the alcohol the nonprofit **does need** a TSL-NP liquor license.

#### **B. DOES NOT NEED**

1. By the drink for consumption at an event where the premise does have an OLCC liquor license and **all** alcohol is provided and served by the OLCC liquor licensee (note that the OLCC licensee is allowed to serve only the type of alcohol allowed by the license).
  - Example: A person buys a ticket from the nonprofit or the nonprofit requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcohol at no additional cost to the person. Because the OLCC liquor licensee is providing and serving the alcohol the nonprofit **does not need** an OLCC liquor license for this activity. NOTE: if the nonprofit is also providing alcohol to the person the nonprofit will also need a TSL-NP liquor license.

2. By the drink for consumption at an event where the premise does have an OLCC liquor license and some or all of the alcohol is provided by the nonprofit to the OLCC liquor licensee; however, all of the alcohol is served by the OLCC liquor licensee (note that the OLCC licensee is allowed to serve only the type of alcohol allowed by the license).
  - Example: A person buys a ticket from the nonprofit or the nonprofit requires payment or purchase or accepts donations of money for any event (examples: food or meal event, fundraiser, entertainment function, open house) and the event comes with alcohol at no additional cost to the person. Provided the nonprofit directly obtains the alcohol (either by purchasing or by donation from an alcohol wholesaler or manufacturer) and then provides it to the OLCC licensee, and provided the OLCC liquor licensee is serving the alcohol, the nonprofit **does not need** an OLCC liquor license for this activity. Note that the OLCC licensee may not keep any left-over alcohol that was provided by the nonprofit (the alcohol must be removed by the nonprofit or discarded).

#### **ITEMS AND SERVICES A WHOLESALER/MANUFACTURER OF ALCOHOL MAY DONATE OR PROVIDE TO ANY NONPROFIT ORGANIZATIONS WITH A TSL-NP**

Oregon law allows a manufacturer/wholesaler (supplier) of alcohol to donate or provide the following products and services to any nonprofit organization holding a TSL-NP:

- Malt beverage, wine or cider that the supplier normally sells. This alcohol may be provided for free, at a discounted price, or at the regular price. Any of this alcohol manufactured in Oregon may be directly donated by the supplier. Any of this alcohol manufactured outside of Oregon is required to come into Oregon through an Oregon licensed wholesaler.
- Distilled spirits approved for sale in Oregon. This alcohol may be provided for free, at a discounted price, or at the regular price. The manufacturer or its representative must obtain this alcohol through the OLCC.
- Credit or cash refund for unsold product.
- Services to support the product. This includes people with a valid Oregon service permit or people who have successfully completed an Oregon alcohol server education class in the last five years to sell or serve the alcohol product. Note that these people do not qualify for the service permit exemption described below.
- Interior/exterior display banners (no size limits).
- Equipment (which may be provided for no more than ten days). This is picnic pumps, cold plates, tub, refrigerated vans, refrigerated trailers, and refrigerated draft systems.

#### **TRAINING FOR SERVERS OF ALCOHOL**

*When the organization is a nonprofit or charitable organization registered with the Oregon Secretary of State's (SOS) office with an issued Oregon Registry Number:*

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
  - A valid Oregon service permit; or
  - Have passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
  - A valid Oregon service permit; or
  - Have passed an Oregon alcohol server education course within five years prior to the date of the event; or
  - Have attended a training provided by the organization and have read, signed, and dated the OLCC brochure What Every Volunteer Alcohol Server Needs to Know. (This form is available on the OLCC web site.)

*When the organization is a political committee that has filed a statement of organization under ORS 260.039 or 260.042, an agency of the State, or a local government or an agency or department of a local government:*

- If the person selling or serving the alcohol is a representative of manufacturer/wholesaler of alcohol the person must have either:
  - A valid Oregon service permit; or
  - Have passed an Oregon alcohol server education course within five years prior to the date of the event.
- If the person selling or serving the alcohol is not a representative of manufacturer/wholesaler of alcohol the person must have:
  - A valid Oregon service permit; or
  - Under limited circumstances the OLCC may be able to approve an exception.

## **OTHER IMPORTANT INFORMATION**

- **Guide** - A TSL Application Guide is available on the OLCC website.
- **OLCC may refuse to process your application** if it is not complete or is not submitted in sufficient time for the OLCC to investigate. Typically, an application that is accepted by the OLCC as complete at least two to four weeks before the event date is sufficient time to process most applications.
- **Managing Your Event** - Not following your written plan for managing your event may result in liquor law violations and may cause the OLCC to deny your future TSL applications.

## **DIRECTIONS FOR COMPLETING THE TSL-NP APPLICATION**

1. Fill out the TSL-NP application form completely.
2. Get the application signed by the local government where the event will take place before you submit it to your local OLCC office (the local government is either the local city if the event address is within the city's limits or the local county if the event address is outside the city's limits). The local government may charge you a fee.
3. Submit the signed application form and the OLCC \$50 per day license fee (\$50 per license day or any part of a license day) and any other required documents to the OLCC. Make payment by check or money order, payable to OLCC. A license day is from 7:00 am to 2:30 am on the succeeding calendar day.
4. If the expected attendance at your event is 501 or more per day please complete and attach the OLCC form Plan to Manage Special Events (unless the OLCC exempts you from this requirement).
5. Submit forms to your OLCC office at least two weeks before the date(s) of an event with 1,000 or fewer expected attendance and at least 30 days before the date(s) of an event with 1,001 or more expected attendance.

## **OLCC OFFICES**

| <b>In which county will your special event happen?</b>                    | <b>Contact this OLCC office</b>  |
|---|--|
| Clackamas, Hood River, Multnomah, Washington                              | Portland Main Office. 503-872-5000<br>PO Box 22297, Milwaukie, Or 97269-2297               |
| Crook, Deschutes, Grant, Harney, Jefferson, Wheeler                       | Bend. 541-388-6292<br>336 SW Cyber Drive, Suite 104, Bend, Or 97702                        |
| Coos, Curry   | Coos Bay. 541-266-7601<br>PO Box 1176, Coos Bay, Or 97420                                  |
| Benton, Linn  | Corvallis. 541-753-0107<br>260 SW Madison Ave #109, Corvallis, Or 97333                    |
| Lane  | Eugene. 541-686-7739<br>927 Country Club Rd #200, Eugene, Or 97401                         |
| Klamath, Lake   | Klamath Falls. 541-883-5600<br>700 Main St #204B, Klamath Falls, Or 97601                  |
| Jackson, Josephine  | Medford. 541-776-6191<br>7 Crater Lake Ave #A, Medford, Or 97504                           |
| Lincoln   | Newport. 541-265-4522<br>715 SW Fall St, Newport, Or 97365                                 |
| Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco | Pendleton. 541-276-7841<br>750 SE Emigrant #140, Pendleton, Or 97801                       |
| Douglas   | Roseburg. 541-957-2020<br>Douglas Co. Courthouse, 1036 SE Douglas Ave #203, Roseburg 97470 |
| Columbia, Marion, Polk, Yamhill   | Salem. 503-378-4871<br>200 Hawthorne Ave SE #B-210, Salem, Or 97301                        |
| Clatsop, Tillamook  | Warrenton. 503-861-3912<br>P.O Box 220, Warrenton, Or 97146                                |

# FOOD REQUIREMENTS FOR A TEMPORARY SALES LICENSE - NONPROFIT (TSL-NP)

## WHAT AMOUNT OF FOOD MUST I PROVIDE?

- **ONE:** The OLCC must determine that the clearly dominant emphasis is food service at all times and in all areas where alcohol service is available in order for you to provide only one substantial food item. The OLCC will work with you to make this determination prior to approving your application.
- **TWO:** If the clearly dominant emphasis is **not** food service and you **don't** provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least two different substantial food items.
- **THREE:** If the clearly dominant emphasis is **not** food service and you provide distilled spirits at the event you must provide at all times and in all areas where alcohol service is available at least three different substantial food items.

## WHAT IS A SUBSTANTIAL FOOD ITEM?

This is a food item that is typically served as a main course or entrée. Some examples are fish, steak, chicken, pasta, pizza, and sandwiches. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers do not qualify as substantial food items.

## WHAT DOES "DIFFERENT" MEAN?

"Different" means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. For example, a turkey sandwich differs from a salami sandwich, a beef burger differs from a turkey burger, and fried chicken differs from baked chicken. Different sizes of the same item are not considered different.

## WHAT DOES IT MEAN TO PROVIDE FOOD SERVICE "AT ALL TIMES AND IN ALL AREAS WHERE ALCOHOL SERVICE IS AVAILABLE"?

Patrons must be able to obtain food service inside the special event licensed area. You may use either of the following two methods to provide food service:

- Within all areas where alcohol service is available, have the minimum required food items available for patrons at all times; or
- Within all areas where alcohol service is available, have a menu of the minimum required food items (plus any other items you may choose to include) available for patrons at all times and be able to provide the food items in the area if a patron chooses to order food. The food items could be kept at a location other than the area where the alcohol is served; however, you must be able to provide the food items to the patron in the area where alcohol service is available.

## IS PROVIDING TASTINGS OF ALCOHOL CONSIDERED PROVIDING ALCOHOL SERVICE?

Yes, providing tastings of alcohol is considered providing alcohol service; therefore, the food requirements must be met.

## MAY I USE FOOD PROVIDED BY A CONTRACTOR OR CONTRACTORS TO MEET THE FOOD REQUIREMENT?

Yes, the food service may be provided by someone other than you; however, even if food service is provided by a contractor, you are fully responsible for compliance with the food requirements. You may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

## WHO MAY THE CONTRACT FOR THE FOOD SERVICE BE WITH?

The contract may be between:

- You (the TSL-NP licensee) and the food service contractor; or
- The organizer of the event and the food service contractor.

## DOES THE FOOD SERVICE CONTRACT NEED TO BE IN WRITING?

No, the food service contract does not need to be in writing; however, you may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.



# TEMPORARY SALES LICENSE – NONPROFIT (TSL-NP) APPLICATION

## TEMPORARY SALES LICENSE – NONPROFIT (TSL-NP) PRIVILEGES. The TSL-NP allows you to:

- Sell at retail distilled spirits, malt beverages, wine, and cider by the drink for consumption in the special event licensed area (provided you meet the food requirements).
- Sell at retail manufacturer-sealed containers of malt beverage, wine, and cider meant for drinking off of the special event licensed area. Note: you may not sell bottles of distilled spirits.
- Sell at retail malt beverages, wine, or cider in a securely covered container (growlers) meant for drinking off of the special event licensed area. The container may not hold more than two gallons.
- Auction (but not raffle) at retail factory-sealed containers of malt beverage, wine, and cider (but not distilled liquor) for consumption off the premises.
- Auction (but not raffle) at retail open containers of alcohol for consumption on the premises.

- **Process Time:** Please read the instructions. OLCC needs your completed application in sufficient time to approve it. Sufficient time is typically 2 to 4 weeks before the first event date listed in #8 below (some events may need extra processing time). OLCC may refuse to process your application if it is not submitted in sufficient time for the OLCC to investigate it.
- **OLCC License Fee:** \$50 per license day or any part of a license day. **Make payment by check or money order, payable to OLCC.** A license day is from 7:00 am to 2:30 am on the succeeding calendar day.
- **License Days:** In #8 below, you may apply for a maximum of **seven** license days per application form.

### 1. ELIGIBILITY: Please read the instructions to determine eligibility for a TSL-NP.

Is your organization a nonprofit or charitable organization with an issued Oregon Registry Number?

No

Yes. Please list the organization's **Oregon Registry Number** (not EIN):

2. Applicant Name:

3. Email:

4. Fax:

5. Contact Person:

6. Contact Phone:

7. Event Name:

8. Date(s) of event (no more than seven days):

9. Start/end hours of alcohol service:  am  pm to  am  pm

10. Address of Special Event:

City

Zip

11. Is the event outdoors?  Yes  No

11a. If the event is only indoors, in what area(s) of the building is the event located?

11b. If any part of the event is outdoors, **submit a drawing** showing the licensed area and how the boundaries of the licensed area will be identified.

12. Describe the primary activities within the licensed area:

13. Will minors be allowed at the event?  Yes  No

14. If yes, will minors and alcohol be allowed together in the same area?  Yes  No

15. What is the expected attendance per day in the licensed area (where alcohol will be sold or consumed)?

**PLAN TO MANAGE THE SPECIAL EVENT LICENSED AREA**

If your answer to #15 is 501 or more, **IN ADDITION TO** your answers to questions 16, 17, and 18, you will need to complete the OLCC’s Plan to Manage Special Events form, unless the OLCC exempts you from this requirement.

16. Describe your plan to prevent problems and violations:

17. Describe your plan to prevent minors from gaining access to alcoholic beverages and from gaining access to any portion of the licensed premises prohibited to minors:

18. Describe your plan to manage alcohol consumption by adults:

**ALCOHOL MANAGERS**

19. All applicants must list the name(s) of alcohol manager(s) on-duty and in the licensed area.

**LIQUOR LIABILITY INSURANCE**

If the licensed area is open to the public and expected attendance is 301 or more per day in the licensed area, the event must have at least \$300,000 of liquor liability insurance coverage (ORS 471.168).

20. Insurance Company:

21. Policy #: | 22. Expiration Date:

**MARIJUANA**

23. Will marijuana (such as use, consumption, samples, give-away, sale, etc.) be allowed on the special event licensed premises or be part of the event or an adjacent event?  Yes  No

**FOOD REQUIREMENTS**

Please read the instructions to determine the food requirements.

24. Will you serve distilled spirits by the drink?  Yes  No

24a. If yes, list at least three different substantial food items that will be provided:

1. | 2. | 3.

24b. If no, list at least two different substantial food items that will be provided:

1. | 2.

**GOVERNMENT RECOMMENDATION**

Please read the instructions. You must obtain a recommendation from the local city or county named in #25 before submitting this application to the OLCC.

25. Name the city if the event address is within a city’s limits, or the county if the event address is outside the city’s limits:

**SIGNATURE**

I affirm that I am authorized to sign this application on behalf of the applicant.

26. Name (please print):

27. Signature:

28. Date:

**CITY OR COUNTY USE ONLY**

The city/county named in #25 above recommends:

Grant     Acknowledge     Deny (attach written explanation of deny recommendation)

\ City/County Contact Person:

\ Phone Number or Email:

City/County Signature:

Date:

**FORM TO OLCC**

This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.

**OLCC USE ONLY**

Fee Paid:

Date:

Receipt #:

License is:  Approved     Denied

OLCC Signature:

Date: