



OFFICE OF THE MAYOR

City of Huntington
Office of the Mayor
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(304) 696-5540

Regulations Governing Beer Permits for Sale, Service, and Consumption

1. Applicants must complete all sections of the permit application form and attach an accurate map or sketch showing all areas in which beer will be served or consumed. Applicant will be required to execute a Hold Harmless Agreement for the City of Huntington.
2. A Certificate of Insurance must name the City of Huntington as an additional insured and include coverage for Liquor Liability or Host Liquor Liability.
3. The duration of the permit shall be limited by the Mayor and may not exceed fourteen (14) consecutive days. Permit may be renewed for one period.
4. The Mayor or his/her designee shall determine the applicant's qualifications and whether the application meets the requirements of all city ordinances. The Mayor will either grant or deny the application based on these determinations.
5. Permit holders must conform at all times with the plan submitted to the City. Deviation from the plan is a violation of the ordinance.
6. Drinking and non-drinking areas must be distinctly marked at all times. The permit holder must provide personnel to enforce the prohibition against alcoholic beverages in non-drinking areas.
7. The Mayor may require the permit holder to pay for the use of police officers to patrol the area in which beer will be sold, served, or consumed.
8. The permit holder is responsible for clearing litter and debris from drinking and non-drinking areas immediately following the event.
9. Permit holders must display the permit in the designated area at all times during the activity or event for which the permit is granted.
10. The granting of a permit is a privilege bestowed by the City. No party has an inherent right to sell, serve, or consume beer in public. If, in the opinion of the Mayor the granting of a permit would adversely affect the health, safety, and welfare of the Citizens of the City he/she may deny the application.
11. Any applicant or permit holder aggrieved by a decision concerning an application or permit may file an appeal with the Beer Permit Appeal Board within thirty (30) days of the date of the decision. The appellant shall be entitled to an appeal only on issues concerning incorrect findings of fact. The Appeal Board does not have jurisdiction to determine the propriety of an application. A reversal shall be specifically stated.
12. These regulations and the contents of Section 521.06 of the Codified Ordinances are to be construed as legislative and quasi-legislative activities which are subject to the provisions of W. Va. Code Section 29-12A(a)(4).
13. Violation of Section 521.06 of the Codified Ordinances is punishable by a fine of five hundred dollars (\$500.00) and/or imprisonment not to exceed thirty (30) days. Each day of noncompliance shall be considered a separate offense. Violators shall be barred from holding a permit under this Article for a period of three (3) years.
14. Applicants that have an event location within a PODA district may apply for a PODA permit if obtaining a Private Fair and Festival (Class S2) license from the WV Alcohol Beverage Control Administration (ABCA). Event must use approved PODA containers and abide by PODA requirements and hours of operation. Applicants cannot apply for PODA if obtaining any of the following permits from the ABCA: Beer and Wine Special Event Fairs and Festivals, Multivendor Fairs and Festivals, or Special One Day Nonprofit Licensed event.