

CHAPTER 63
KEG BEER RULES

[Prior to 12/31/86, Conservation Commission(290) Ch 42]

571—63.1(111,123) Purpose. This chapter governs the use of state park and recreation areas and designated state forests for consumption of beer dispensed from a keg or other container larger than one gallon. The purpose is to enhance public enjoyment of state areas through regulation of an activity which can be disruptive.

571—63.2(111,123) Applicability. This chapter is applicable to all state parks and recreation areas managed by the parks, recreation, and preserves division of the department of natural resources and to the state forests containing designated campground areas listed in 571—62.1(461A).

571—63.3(111,123) Definitions.

“Beach” or *“beach area”* means that portion of state parks or recreation areas designated for swimming activity including the water area contiguous to the beach.

“Beer” is as defined in Iowa Code section 123.3(7).

“Campground” means that portion of state parks or recreation areas designated for camping activity including parking areas contiguous to the campground and designated camp areas of state forests.

“Kegger” means a gathering of two or more persons at which beer is dispensed from a keg or other container larger than one gallon.

“Person” is as defined in Iowa Code section 4.1(20).

571—63.4(111,123) Prohibited areas. Keggers shall not be conducted in beach areas, in campgrounds, or in parking areas or immediately adjacent to those areas.

571—63.5(111,123) Procedure. Any person wishing to conduct a kegger in any area to which this chapter applies shall notify the department of natural resources officer in charge of the area in advance and comply with the following procedure:

63.5(1) A designated agent shall be named who shall sign a responsibility agreement. The content of the responsibility agreement shall be as stated in 571—63.7(461A,123).

63.5(2) The designated agent shall be available for personal contact by department of natural resources personnel at all times during the kegger.

63.5(3) The agent shall pay a deposit of \$100 per 100 persons or portion thereof at the kegger, to be held by the department of natural resources officer as a damage deposit. The department of natural resources officer may designate the area in which the kegger is to be conducted. If the kegger takes place in an enclosed shelter for which a rental fee and deposit is charged, the \$100 shall be waived in lieu of the usual deposit for that facility.

63.5(4) The agent shall assume responsibility to ensure that all state laws are complied with in the conduct of persons attending the kegger and that the area used for the kegger is left in a clean, uncluttered condition and no state property damaged beyond the extent of normal wear and tear.

63.5(5) Conducting or continuation of the kegger shall be contingent on the persons involved complying with all applicable state laws including but not limited to Iowa Code section 123.47, chapter 461A, and rules promulgated under those chapters and as long as the activity does not interfere with other uses of area facilities.

63.5(6) The agent shall inform the department of natural resources officer when the kegger is concluded and attendees have left the area.

571—63.6(461A,123) Deposit disposition.

63.6(1) The \$100 deposit required by 63.5(3) shall be refunded within three days in full or on a prorated basis computed according to 63.6(2) depending on the condition in which the site is left after the kegger is held.

63.6(2) If it is necessary for department of natural resources personnel to clean up the area or repair any damage beyond ordinary wear and tear, a log of the time spent in such cleanup or repair shall be kept. The damage deposit refund shall be reduced by an amount equivalent to the applicable hourly wage of the employees for the time necessary to clean the area or repair the damage.

63.6(3) The \$1000 is not to be construed as a limit of liability for damage to state property. The department of natural resources may take any legal action necessary to recover additional damage.

571—63.7(111,123) Responsibility agreement. The agreement required by 63.5(1) shall contain the following information:

RESPONSIBILITY AGREEMENT

I/We, the undersigned, being of 21 years of age or older, or born before September 2, 1967, and desiring to entertain ourselves and others at:

Area: _____

Date: _____

agree to leave the site used in the same condition as found, agree to clean up what debris and litter may be deposited during our stay, within the time period agreed to, agree to be responsible for any damages done to property within the area by ourselves or our guests, agree to ensure compliance with Iowa law respecting the possession of beer by underage persons, agree not to interfere with other use of park facilities, and finally, agree to abide by all rules and regulations and all laws of this state.

Dated this _____ day of _____, 19 _____.

Signature of Group Leaders (agents):

Identification Information:

Agents
(Name & Address)

Phone No.

Driver's
License No.

Vehicle
License

These rules are intended to implement Iowa Code sections 461A.3, 461A.35, 461A.47, 123.47 and 123.47A.

[Filed 9/1/83, Notice 4/27/83—published 9/28/83, effective 11/3/83]

[Filed without Notice 12/12/86—published 12/31/86, effective 2/4/87]

[Filed 9/4/87, Notice 7/29/87—published 9/23/87, effective 10/28/87]