



## **Alcohol Risk Management Policy For Parks and Recreation Facilities**

The Village of Wellington owns and manages facilities where:

1. Alcohol consumption is not permitted;
2. Alcohol consumption is permitted under the authority of an Alcohol Consumption Permit; or
3. The sale and the consumption of alcohol is permitted under the authority of a Special Event Alcohol Permit in conjunction with a Special Use Permit.

The Village of Wellington has developed an alcohol risk management policy in order to prevent alcohol-related problems that may arise from alcohol consumption within its facilities, and to promote a safe, enjoyable environment for those who use the Village's facilities.

The policy is not intended to stand in opposition to legal and moderate alcohol consumption.

### **PURPOSE OF THE POLICY**

The alcohol risk management policy consists of a range of measures designed to prevent alcohol-related problems, and to increase the enjoyment of those who responsibly consume alcohol and use Village facilities. By reducing the potential for alcohol-related problems, the Village of Wellington concurrently reduces its risk of liability actions.

The policy is divided into four sections:

1. Designation of facilities where alcohol use is prohibited;
2. Designation of facilities where alcohol use is permitted;
3. Specification of conditions under which alcohol is permitted; and
4. Enforcement procedures for violations of the policy.

## **SECTION 1: AREAS DESIGNATED WHERE ALCOHOL USE IS PROHIBITED**

The consumption of alcohol is prohibited in all Parks and Recreation Department facilities and parks except for those facilities set forth in Section 2.

Users who do not obtain the requisite alcohol permits, or are having events in locations where alcohol is not permitted, will be required to sign a form agreeing that any participants in the activity or event will not consume alcohol. (Appendix A).

## **SECTION 2: AREAS DESIGNATED FOR CONDITIONAL USE OF ALCOHOL**

The following facilities are currently designated for alcohol use only under the authority of a Special Event Alcohol Permit or an Alcohol Consumption Permit.

1. Wellington Community Center
2. Wellington Amphitheater
3. Wellington Green Park
4. Village Park

The Parks and Recreation Director, or the Village Council may change the designation of any site at its discretion pursuant to Section 6-5 of the Village of Wellington Code of Ordinances.

## **SECTION 3: CONDITIONS FOR SPECIAL EVENT ALCOHOL PERMITS**

Anyone who wishes to ~~serve and/or~~ sell alcohol at a site designated in Section 2 must complete a permit application that ~~stipulates~~ sets forth the conditions under which alcohol may be ~~served and/or~~ sold (Appendix B). The applicant must also obtain one, or a combination of, the following permits depending on the event and circumstances: a Village Special Use Permit, a Special Event Alcohol Permit, and/or from the State of Florida Division of Alcoholic Beverages & Tobacco a One/Two/Three Day Permit (Note: Per Florida Statute, only Non-Profit Civic Organizations registered in the State of Florida are eligible to apply for the One/Two/Three Day Permit or Special Sales License). The permit holder must ensure that all the conditions of the Village of Wellington's Alcohol Risk Management Policy and the State of Florida Division of Alcoholic Beverages & Tobacco Permit are adhered to at the event. The Village of Wellington reserves the right to refuse an applicant permission to run a licensed event on its property. All required documentation (Special Use Permit, Special Event Alcohol Permit, Appendix B and State of Florida Division of Alcoholic Beverage & Tobacco One/Two/Three Day Permit) should be returned to the Parks and Recreation Department a minimum of thirty (30) days prior to the event.

Anyone who wishes to serve or consume alcohol at a site designated in Section 2 must complete a permit application that ~~stipulates~~ sets forth the conditions under which alcohol may be served or consumed (Appendix C). The permit holder must ensure that all the

conditions of the Village of Wellington's Alcohol Risk Management Policy are adhered to at the event.

All Special Event Alcohol Permit Holders and Alcohol Consumption Permit Holders are required to adhere to the following conditions:

### **3.1 Control**

**3.1.1** In order to be eligible for a Special Event Alcohol Permit or an Alcohol Consumption Permit, the Permittee must demonstrate to the satisfaction of the Parks and Recreation Department that adequate controls are in place for the event, including but not limited to:

- Alcohol Servers;
- Door/Entrance Supervisors;
- Floor Supervisors;
- Ticket Sellers (if applicable); and
- Off-Duty Palm Beach County Sheriff's Officers (when required).

**3.1.2** The Permittee will ensure that the servers do not serve alcohol to underage, intoxicated, rowdy, or unauthorized people at the event. The servers will accept only a photo driver's license, a passport, or other state issued photo identification as proof of age.

**3.1.3** Servers will not consume alcohol during the event nor will they be under the influence of alcohol during the event.

**3.1.4** For those events at which alcohol is served, ~~and/or sold or consumed~~, the Permittee will be required to pay for a minimum of one Off-Duty PBSO Officer or, in the Village of Wellington's sole discretion, a minimum of one security officer from an approved Village Security Contractor, for the ~~entire~~ duration of the event from its start until ~~one hour after the official end time of the event all guests of the event have left the Village facility~~. ~~PBSO~~ The Village of Wellington reserves the right to determine the required ~~amount~~ number of deputies/security officers that will be necessary to maintain security at an event. Payment for Off-Duty PBSO Officers or other security officers pursuant to this section is due no later than ~~thirty-sixty (3060)~~ days prior to the event. Fees due must be made payable to the Village of Wellington separate from the rental fees.

**3.1.5** During the event, the Permittee will post all required permits in a visible area at the location.

### **3.2 Sale of Alcohol**

- 3.2.1** When tickets are sold for alcoholic beverages, there will be a limit of 2 per person at one time. Discounts will not be offered for the volume purchase of tickets.
- 3.2.2** When tickets are not sold, each person will be limited to a serving of 2 drinks at a time.
- 3.2.3** All ticket sales are to close by the earlier of the following:  
(a) One half hour prior to facility rental permit expiration time OR  
(b) by 12:45 a.m.
- 3.2.4** A sign will be posted at the bar and at the ticket counter stating the law on serving to the point of intoxication.
- 3.2.5** No last call will be announced.

### **3.3 Non-Alcoholic Beverage Options**

- 3.3.1** The Special Event Alcohol permit holder will ensure that non-alcoholic beverages are available at a lower cost than any alcoholic beverages.
- 3.3.2** A sign will be posted identifying the non-alcoholic beverages available at the event.

### **3.4 Liability Insurance Requirements and Indemnification**

- 3.4.1** The Permittee shall ensure that all conditions of all issued permits are complied with throughout the duration of the activity. Additionally, prior to issuance of any permit, the Permittee is required to produce proof that the following insurance coverages have been obtained for the entire duration of the event:
- Comprehensive general liability and property damage insurance coverage with minimum of \$1,000,000, which shall name the Village of Wellington as an additional insured for the duration of the activity listed on the permit.
  - If alcohol will be sold or served at the event, liquor liability in an amount not less than \$1,000,000 ~~liquor liability for beer and~~

wine, which shall name the Village of Wellington as an additional insured for the duration of the activity listed on the permit.

- When applicable, \$1,000,000 product liability coverage, which shall name the Village of Wellington as an additional insured for the duration of the activity listed on the permit.
- When applicable, \$1,000,000 automobile liability coverage which shall name the Village of Wellington as an additional insured for the duration of the activity listed on the permit.
- ~~If alcohol will be sold at the event, a special event coverage policy including alcohol sales in an amount not less than one million dollars (\$1,000,000.00), which shall name the Village of Wellington as an additional insured for the duration of the activity listed on the permit.~~
- Certificate signed by authorized agent of the insurance company
- *Certificate Holder* shall read:

**Village of Wellington  
C/O Village of Wellington Parks & Recreation Department  
11700 Pierson Road  
Wellington, FL 33414**

The certificate holder must be listed as **Additionally Insured**

- Additional coverage's may be required dependent on the services and products being offered.
- Pursuant to Florida Statute 440.055, any ~~employee~~ employer with four or more employees must have ~~Workers'~~ workers' ~~Compensation~~ compensation insurance. Please provide a copy of your workers' compensation insurance if your company has four or more employees.
- Permittee shall indemnify and hold harmless Wellington and its agents, employees, elected officials, advisory board members, affiliates, their respective officers, directors, and representatives from and against all liabilities, damages, claims, suits, matters, causes of action, costs, fees, and expenses whatsoever (including reasonable attorneys' fees and court costs at any trial and appellate levels) arising out of or in connection with any of the issued permits or the event being held by the Permittee.

### **3.5 Safe Transportation**

**3.5.1** The Permittee will be responsible for promoting safe transportation options for all participants consuming alcoholic beverages. Examples of safe transportation options are:

- a. a designated driver selected from non-drinking participants;
- b. a designated driver provided by the sponsoring group; or
- c. a vehicle for transportation services paid for either by the sponsoring group or the participant.

The Village has the option and right to contact a pre-arranged taxi service to transport participants home, the cost of which will be deducted from the Permittee's security deposit.

### **3.6 Other**

**3.6.1** Pursuant to Section 6-5 of the Village of Wellington Ordinances, the Parks and Recreation Director reserves the right to introduce other conditions from time to time at his/her discretion.

**3.6.2** Liquor may be sold or served upon obtaining the required permits and only where there is an adequate supply of food.

**3.6.3** The sale of alcohol shall be permitted within Village of Wellington facilities and parks only under the strict guidelines of the State of Florida Division of Alcoholic Beverages and Tobacco One/Two/Three Day Permit, and the Village of Wellington Parks and Recreation Alcohol Risk Management Policy for the Village of Wellington.

## **SECTION 4: ENFORCEMENT PROCEDURE FOR POLICY VIOLATION**

### **4.1 Areas Where Alcohol is Prohibited**

**4.1.1** A violation of this policy occurs when individuals consume alcohol in a Village facility or area where alcohol consumption is prohibited. Enforcement can be initiated by a member of the group using the facility or area, a Staff Member of the Village of Wellington, an employee of an approved Village Security Contractor, or a Member of the Palm Beach County Sheriff's Office.

**4.1.2** A group member may intervene by informing the offending individual that Wellington policy prohibits alcohol consumption and asking that the participant refrain from further violations. Group

members should feel encouraged to intervene in this way because intervention at other levels could result in loss of privileges.

- 4.1.3** A staff member of the Village of Wellington will intervene whenever he or she encounters a violation of the policy. Staff members shall ask that the consumption of alcohol stop, or they can ask the individual or group to leave the facility or area depending on the circumstances, the nature of the violation and the potential for harm. Should the individuals or group members fail to comply, the staff member will call the local sheriff for enforcement.
- 4.1.4** Where a member of an organized group has violated Village Policy, and has been confronted by Village staff, the group will be sent a letter advising of the violation and stating that no further violations will be tolerated.
- 4.1.5** After receiving the above letter, application for future bookings of any Village operated facility or park must first be approved by the Parks and Recreation Director. The Village reserves the right to refuse any future permit application.
- 4.1.6** Should members of an organized group violate the policy a second time, the group will be suspended from use of any Village of Wellington facility or area (e.g. near & around ball diamonds, parking lots, open parks, fields, rooms, etc.) for a minimum period of one year. A letter will be sent to the contact person advising of the suspension, with a copy provided to the Village Council.
- 4.1.7** A member of the Palm Beach County Sheriff's Office or an employee of an approved Wellington Security Contractor may intervene in a violation of this policy on his or her initiative or in response to a request from Wellington Staff or a member of the general public. In addition, the PBSO Officer may, at his or her discretion, levy charges against the offending individual(s) under any relevant legislation.

## **4.2 Areas Where Alcohol is Permitted**

- 4.2.1** A violation of this policy occurs when the Permittee fails to comply with the conditions of any permit issued for the event or fails to comply with the Village of Wellington Alcohol Risk Management Policy. Intervention can be initiated by a participant at the event, a staff member of the Village of Wellington, an Inspector of the State of Florida Division of Alcoholic Beverages and Tobacco, an

employee of an approved Village Security Contractor, or a member of the Palm Beach County Sheriff's Office.

- 4.2.2** A member of the organizing group or the designated supervisor may intervene by informing the individual(s) of the policy violation and asking that they refrain from further violations. Group members and supervisors should feel encouraged to intervene in this way because intervention at other levels could result in loss of privileges and legal charges.
- 4.2.3** A Village of Wellington Staff Member will intervene whenever he or she encounters a violation of the Policy. Depending upon the severity of the policy infraction, Village Staff will ask the organizers of the event to stop the violation or they may close down the event. Should the organizers fail to comply, the staff member will call Palm Beach County Sheriff's Office for enforcement.
- 4.2.4** Where the Permittee has violated Village Policy and has been confronted by Village of Wellington staff, the group will be sent a letter advising of the violation and stating that no further violations will be tolerated.
- 4.2.5** After receiving the above letter, application for future bookings of any Village operated facility or park must first be approved by the Parks and Recreation Director. The Village of Wellington reserves the right to refuse any future permit application.
- 4.2.6** Should members of an organized group violate the policy a second time, the group will be suspended from use of any Village of Wellington facility or area (e.g. near & around ball diamonds, parking lots, open parks, fields, rooms, etc.) for a minimum period of one year. A letter will be sent to the contact person advising of the suspension, with a copy provided to the Village Council.
- 4.2.7** A member of the Palm Beach County Sheriff's Office or an employee of an approved Wellington Security Contractor may intervene in a violation of this policy on his or her initiative or in response to a request from Wellington Staff or a member of the general public. In addition, the PBSO Officer may, at his or her discretion, levy charges against the offending individual(s) under any relevant legislation.



## APPENDIX A



### **Parks and Recreation Department**

#### **FACILITY USE ACKNOWLEDGEMENT AGREEMENT**

Name of Organization/Group: \_\_\_\_\_  
(Please Print)

Name of Contact Person: \_\_\_\_\_  
(Please Print)

#### **Certification:**

1. I understand that alcohol may only be consumed in approved Wellington parks and facilities pursuant to the Alcohol Risk Management Policy ("Policy") and after obtaining the requisite permits and required insurance coverage.
2. I understand that if there is any evidence that alcohol is being consumed by any member of my team, group, or organization at a Wellington facility and/or park where alcohol is not permitted or without previously obtaining the requisite permits and insurance coverage, Wellington may stop my event immediately. If it is the first violation of the Policy, a letter of warning will be issued advising of the Policy violation and indicating that no further violations will be tolerated. Independent action may be taken by the Palm Beach County Sheriff's Office, at its discretion.
3. I understand that if any member of my team, organization or group violates the Alcohol Risk Management Policy within one year of receiving a warning, our team, organization or group will be suspended from using any Wellington facility or park for a minimum period of one year.
4. I understand costs for deliberate damage to Wellington's facility or property during our program or event will be the responsibility of the team, organization or group.
5. By my signature below, I hereby affirm ~~notify Wellington~~ that I have notified all members of my team, organization or group of Wellington's Alcohol Risk Management Policy and that they fully understand the above.

**Signature:** \_\_\_\_\_  
(Contact Person)

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(For Office Use)

**Received by:** \_\_\_\_\_  
(Parks and Recreation Director or Designee)

**Date:** \_\_\_\_\_

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## **APPENDIX B**



### **Parks and Recreation Department**

#### **SPECIAL EVENT ALCOHOL PERMIT HOLDER AGREEMENT – ALCOHOL SALES**

Name of Organization/Group: \_\_\_\_\_  
(Please Print)

Name of Contact Person: \_\_\_\_\_  
(Please Print)

#### **Certification:**

1. I have received and reviewed a copy of the Wellington Alcohol Risk Management Policy for Wellington Recreation Facilities and Parks.
2. I have read ~~the guidelines on~~ Appendix “D” “Guidelines for Special Event Alcohol Permit Holders Where Alcohol Will Be Served, Sold or Consumed” and hereby agree to adhere to these guidelines.
3. I agree to adhere to the conditions of the Alcohol Risk Management Policy and the State of Florida’s Liquor Licensing Laws.
- ~~3.4.~~ I understand that an alcoholic beverage license is required to sell alcohol at my event. I have selected \_\_\_\_\_, who possess the necessary liquor license or, if applicable, I have obtained a one/two/three day or other special permit from the Florida Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.
- ~~4.5.~~ I understand that if an infraction of the Alcohol Risk Management Policy occurs, Wellington may warn or suspend my organization from using the facilities for a minimum ~~period~~ of one year.
- ~~5.6.~~ I understand I can be held liable for injuries and damage arising from the sale of alcohol at my event and may be held criminally liable for failing to adhere to the Alcohol Risk Management Policy and/or violation of the State of Florida Liquor Licensing Laws, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
- ~~6.7.~~ I understand that a member of the Palm Beach County Sheriff’s Office, and/or an Inspector with the State of Florida Division of Alcoholic Beverages and Tobacco can levy charges for infractions of the State of Florida’s Licensing Laws or other applicable relevant legislation.
- ~~7.8.~~ I agree to satisfy the liability insurance requirements and indemnification requirements set forth in Section 3.4 of the Wellington Alcohol Risk Management Policy.

**Signature:** \_\_\_\_\_  
(Contact Person)

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(For Office Use)

**Received by:** \_\_\_\_\_  
(Parks and Recreation Director or Designee)

**Date:** \_\_\_\_\_

## APPENDIX C



### Parks and Recreation Department

#### ALCOHOL CONSUMPTION PERMIT – NO ALCOHOL SALES

Name of Organization/Group: \_\_\_\_\_  
(Please Print)

Name of Contact Person: \_\_\_\_\_  
(Please Print)

1. I, have received and reviewed a copy of the Wellington Alcohol Risk Management Policy for Wellington Facilities and Parks and the “Guidelines for Special Event Alcohol Permit Holders Where Alcohol Will Be Served, Sold or Consumed” and I ~~agree to~~ hereby agree to ~~and~~ adhere to same.
2. I understand that this permit **DOES NOT ALLOW THE SALE OF ALCOHOLIC BEVERAGES**, only the consumption of alcohol during the event. **IN ORDER TO SELL ALCOHOL, I ACKNOWLEDGE THAT I MUST OBTAIN A SEPARATE ONE/TWO/THREE DAY PERMIT OR SPECIAL SALES LICENSE.**
- ~~2.~~3. I agree to provide a bartender(s) to serve alcoholic beverages at my event. The cost of the bartender(s) will be paid by me.
- ~~3.~~4. I further agree to comply with any federal, state, or local Liquor Licensing Laws.
- ~~4.~~5. I understand that if an infraction of the ~~p~~Policy occurs, Wellington may stop my event immediately and may warn or suspend me and/or my organization from using Wellington facilities for a minimum of one year as set forth in Appendix A “Facility Use Acknowledgment.”
- ~~5.~~6. I understand I can be held liable for injuries and damage arising from the consumption of alcohol at my event and may be held criminally liable for failing to adhere to any federal, state or local Liquor Licensing Laws, or from otherwise failing to take action that will prevent foreseeable harm from occurring.
- ~~6.~~7. I understand that a member of the Palm Beach County Sheriff’s Office and/or an inspector with the State of Florida Division of Alcoholic Beverages and Tobacco can levy charges for infractions of any federal, state or local Liquor Licensing Laws or other relevant legislation.

Signature: \_\_\_\_\_  
(Contact Person)

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(For Office Use)

Received by: \_\_\_\_\_  
(Parks and Recreation Director or Designee)

Date: \_\_\_\_\_

## APPENDIX D



### **Parks and Recreation Department**

#### **GUIDELINES FOR SPECIAL EVENT ALCOHOL PERMIT HOLDERS WHERE ALCOHOL WILL BE SERVED, SOLD OR CONSUMED**

As the contact person for a Special Event Permit, your group can be held liable for, among other things, ~~for~~ injuries and damages arising from the service, sale or consumption of alcohol at your event. You can also be held criminally liable for failing to adhere to ~~the Village of Wellington policies and permits, as well as~~ the State of Florida Division of Alcoholic Beverages and Tobacco One/Two/Three Day Permit or Special Sales License, where applicable. ~~This ese conditions includes~~ serving someone to intoxication, serving someone who is already intoxicated, serving minors, and failing to prevent impaired individuals from driving. In order to help reduce your group's risk of liability, the following guidelines must be followed:~~should be adopted~~:

- ☐ Supervise the entrance(s) to screen for identification and to ensure underage, intoxicated, rowdy, or potentially troublesome patrons are not allowed entrance.
- ☐ Supervise the exit(s) to take reasonable steps to prevent impaired people from driving. These reasonable steps can include using a designated driver either from the non-drinking participants at the event or from your group of volunteers/helpers. Alternatively, ~~it can consist~~ you can discourage impaired people from driving by offering a vehicle for transportation service of a taxi paid for ~~by~~ either by your group ~~of or~~ the participants. If these efforts fail, Wellington Staff will call the Sheriff's Office and attempt to detain impaired drivers.
- ☐ In order to reduce the level of intoxication and the rate of consumption, your staff/volunteers should encourage patrons to consume food and non-alcoholic beverages.
- ☐ In order to reduce the risk of intoxication, do not serve oversized drinks, double shots of spirits, or beer in pitchers. Do not allow drinking contests, volume discounts, or other marketing practices which encourage increased alcohol consumption.
- ☐ If tickets are purchased for drinks, refund unused tickets for cash on request.
- ☐ Ensure the facility is adequately lit, signs are visible, and stairs are clear. As the occupier of the premises, your group is required to ensure the physical setting is safe for all participants, regardless of alcohol consumption. Your group may be held liable if an accident occurs due to the physical set-up of the facility or areas.
- ☐ Prevent patrons from engaging in activities that can harm themselves or others. As the organizer, you must take reasonable steps to prevent foreseeable harm whether participants are consuming alcohol or not.

**Signature:**

\_\_\_\_\_  
(Contact Person)

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(For Office Use)

**Received by:**

\_\_\_\_\_  
Parks and Recreation Director or Designee)

**Date:** \_\_\_\_\_

## APPENDIX E



### **Parks and Recreation Department**

#### **BARTENDER AGREEMENT NO SALES OF ALCOHOL**

Event Name: \_\_\_\_\_ Event Date: \_\_\_\_\_

Bartender's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Event Date: \_\_\_\_\_

Event Name: \_\_\_\_\_

Bartenders Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_

- ~~Bartenders are required when alcohol is being served.~~
- ~~Bartenders are required to check identification.~~
- ~~Drinking by minors (under 21) will not be tolerated.~~
- ~~The Palm Beach County Sheriff's Department will be notified.~~
- ~~If the applicable permits, use agreements, and policies are not adhered to, the event will be shut down.~~

1. As the contact person for the event, I understand that bartenders are required at any event where alcohol is being served and that said bartenders:

- Must stand behind the bar at all times during the event;
- Must be dressed appropriately so that they may be easily distinguished from guests of the event;
- May not serve alcohol to underage, intoxicated, rowdy or unauthorized people;
- Must check identification and may accept only a photo driver's license, passport, or other government issued photo identification as proof of age;
- May not consume alcohol or be under the influence of alcohol during the event;



- Must adhere to the Wellington Alcohol Risk Management Policy in addition to all applicable local, state, and federal laws.
- 2. I understand that I, on behalf of my team, organization or group, am responsible for hiring and overseeing the above-named bartender for the duration of the event.
- 3. I have provided the above-named bartender with a copy of this Bartender Agreement and the Wellington Alcohol Risk Management Policy.
- 4. I understand that my team, organization or group may be held responsible in the event the above-named bartender violates any provision of this Bartender Agreement or the Wellington Alcohol Risk Management Policy.
- 5. I will report any incidents relating to the service of alcohol at the event to Wellington and, if applicable, to the Palm Beach County Sheriff's Office.

~~As a bartender, I will take full responsibility and I will be held accountable for the guests that I am serving alcohol to.~~

Signature: \_\_\_\_\_  
(Contact Person)

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(For Office Use)

Received by: \_\_\_\_\_  
(Parks and Recreation Director or Designee)

Date: \_\_\_\_\_

~~It is required that a~~ **\*\*A** *copy of the Bartender's Driver's License **must** be attached to this form.*