**18 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**

**553 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS**

**Chapter 102: PREMISES LICENSED FOR ON PREMISES CONSUMPTION ONLY**

*(Note: this rule chapter was formerly 16-226 Ch. 2 of the Department of Public Safety, Liquor Licensing and Inspections Unit.)*

1. No licensee shall permit consumption of liquor on licensed premises by minors or persons visibly intoxicated.

2. No licensee shall permit consumption of liquor on his licensed premises during period of any license suspension.

3. No person under 18 years of age shall be allowed to entertain, with or without compensation, in licensed premises while liquor is being served or consumed, except that in Class A restaurants, clubs, and hotel dining rooms persons 17 years of age who are members of a musical group may entertain. Any person under 17 years of age will be permitted to entertain provided his/her parent is present.

 A. An on-premises licensee shall not allow the direct handling of liquor on the licensed premises by any person under the age of 15 years except that persons who are at least 15 years old may stock inventory or bus tables, but must not sell, serve or mix liquor and persons who are at least 14 years old may only bus tables.

4. All licenses and permits requiring local approval must be submitted to the Bureau within 60 days of the local approval date. Applications not submitted to the Bureau in a timely fashion will be returned to the licensed applicant for reapproval by the city, town or county.

5. *(Repealed.)*

6. Every on-premise licensee required to sell food shall maintain a food inventory of $2.00 per seat and shall keep on hand dishes and utensils to serve the maximum seating capacity. Utensils and dishware may be paper or plastic. Every on-premise licensee will keep separate records of all food purchased and sold, and separate records of liquor purchased and sold. Soft drinks may not be included as food sales.

A. All Class A restaurants must keep their kitchen open during all hours of operation for the service of full course meals. The kitchen must be staffed by a cook or other personnel in addition to wait staff personnel who provide alcoholic beverages.

 B. Class A Lounges must offer food for sale during all times they are serving liquor. For purposes of this rule, the term "food" refers to cold or hot meals, including sandwiches, salads, and other forms of solid nourishment including, but not by way of limitation, hamburgers, cheeseburgers, hot dogs, pizzas, and other food items which customarily would appear on a well balanced menu. The term "food" specifically does not include prepackaged snack foods, such as popcorn, chips, or pretzels.

7. Except as provided by Title 28-A Section 1001, 3E, no club licensee shall sell liquor or permit it to be sold on the club premise during any function or activity other than strictly a club function or activity. No function or activity on the club premise shall be considered a club function when the club solicits attendance by the public.

8. No nonmember who enters any licensed club shall be considered to be entitled to the service of liquor unless he is accompanied at all times by the member who accompanied him on admission.

A. One single exception to Rule 2.8 is that clubs having the catering privilege may serve groups of nonmembers at prearranged gatherings. When tickets are available for such an event the sales of such tickets must be in advance and cannot be available for sale at the door.

9. Licensed clubs with catering privilege are limited to service of liquor and/or food to groups of nonmembers at functions for which arrangements have been made at least twenty-four hours before such function is to take place and time limits shall be set for service of liquor at all such functions.

A. A record shall be maintained by the catering club showing time the catering arrangements were made, the name of the persons or organizations making the arrangements and the approximate number of persons to be accommodated.

B. Licensed clubs with the catering privilege will be held responsible for the restrictions of groups accommodated and shall in no case allow service of liquor to persons not of the group registered with them. No liquor shall be sold if the club advertises or invites the public to attend. This does not prohibit the group from advertising their event, but tickets must be presold to the function and cannot be made available at the door.

10. When a license application for a hotel premise is made and there is not a single management of the sleeping rooms and dining rooms, both the lessee and lessor will join in applying for the license. Both lessee and lessor shall be held jointly and severally responsible as licensees.

11. All hotels required to sell food, including those licensed to sell only malt or wine, shall maintain dishware and utensils for their seating capacity and maintain a food inventory of at least $2.00 per seat.

12. All sales of spirituous or vinous liquor for consumption with or without food in rooms designated therefore shall be by the glass except that wines may be sold by the bottle for consumption by the glass, and further except that licensed hotels may sell liquor in the original container to bona fide registered guests to be delivered to their hotel room.

13. *(Repealed.)*

14. *(Repealed.)*

15. All on-premise licensees including golf clubs, bowling centers, indoor racket clubs, indoor ice skating clubs, shall maintain adequate facilities for the purpose of serving alcoholic beverages, consisting of tables and chairs in an area designated by the Bureau.

16. All arrangements for the service of liquor by a Qualified Catering Service shall be completed at least 24 hours in advance of the event or gathering.

A. Qualified Catering Services shall not provide the service of liquor to the public on its licensed premises on a regular day-to-day basis.

B. Qualified Catering Services shall not provide the service of liquor at any event or gathering primarily attended by minors.

C. *(Repealed.)*

D. Qualified Catering Service licensees shall not sell, serve or allow the consumption of liquor to any minors, visibly intoxicated persons or to any other person prohibited by law from obtaining liquor, while catering at any event or gathering.

E. Approval for the service of liquor by a catering permit or Qualified Caterer or Incorporated Civic Organization shall be denied if the municipality has not voted in the affirmative on the appropriate local option questions authorizing on-premise consumption.

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