



General Assembly

February Session, 2004

Raised Bill No. 5161

LCO No. 987

00987_____GL_

Referred to Committee on General Law

Introduced by:

(GL)

AN ACT CONCERNING OUTSIDE SERVICE OF ALCOHOL IN RESTAURANTS AND CAFES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 30-22 of the general statutes, as
2 amended by section 1 of public act 03-228 and section 146 of public act
3 03-6 of the June 30 special session, is repealed and the following is
4 substituted in lieu thereof (*Effective October 1, 2004*):

5 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
6 to be consumed on the premises of a restaurant. A restaurant patron
7 may remove one unsealed bottle of wine for off-premises consumption
8 provided the patron has purchased a full course meal and consumed a
9 portion of the bottle of wine with such meal on the restaurant
10 premises. For the purposes of this section, "full course meal" means a
11 diversified selection of food which ordinarily cannot be consumed
12 without the use of tableware and which cannot be conveniently
13 consumed while standing or walking. A restaurant permit, with prior
14 approval of the Department of Agriculture and Consumer Protection,
15 shall allow alcoholic liquor to be served at tables in outside areas
16 [which are not screened from public view] where permitted by fire,

17 zoning and health regulations. If not required by fire, zoning or health
18 regulations, a fence or wall enclosing such outside areas shall not be
19 required by the Department of Agriculture and Consumer Protection.
20 No fence or wall used to enclose such outside areas shall be less than
21 thirty inches high. The annual fee for a restaurant permit shall be one
22 thousand two hundred dollars.

23 Sec. 2. Subsection (a) of section 30-22a of the general statutes, as
24 amended by section 146 of public act 03-6 of the June 30 special
25 session, is repealed and the following is substituted in lieu thereof
26 (*Effective October 1, 2004*):

27 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
28 consumed on the premises of a cafe. Premises operated under a cafe
29 permit shall regularly keep food available for sale to its customers for
30 consumption on the premises. The availability of sandwiches, soups or
31 other foods, whether fresh, processed, precooked or frozen, shall be
32 deemed compliance with this requirement. The licensed premises shall
33 at all times comply with all the regulations of the local department of
34 health. Nothing herein shall be construed to require that any food be
35 sold or purchased with any liquor, nor shall any rule, regulation or
36 standard be promulgated or enforced requiring that the sale of food be
37 substantial or that the receipts of the business other than from the sale
38 of liquor equal any set percentage of total receipts from sales made
39 therein. A cafe permit shall allow, with the prior approval of the
40 Department of Agriculture and Consumer Protection, alcoholic liquor
41 to be served at tables in outside areas [that are not screened from
42 public view] where permitted by fire, zoning and health regulations. If
43 not required by fire, zoning or health regulations, a fence or wall
44 enclosing such outside areas shall not be required by the Department
45 of Agriculture and Consumer Protection. No fence or wall used to
46 enclose such outside areas shall be less than thirty inches high. The
47 annual fee for a cafe permit shall be one thousand seven hundred fifty
48 dollars.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

Statement of Purpose:

To allow for the outside service of alcohol in areas that are not visible to the public in restaurants and cafes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]