



General Assembly

January Session, 2007

Raised Bill No. 7137

LCO No. 4282

04282_____GL_

Referred to Committee on General Law

Introduced by:

(GL)

**AN ACT CONCERNING LIQUOR PERMIT RENEWALS AND FIRE
CODE INSPECTIONS.**

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

1 Section 1. Section 30-39 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) For the purposes of this section, the "filing date" of an application
4 means the date upon which the department, after approving the
5 application for processing, mails or otherwise delivers to the applicant
6 a placard containing such date.

7 (b) (1) Any person desiring a liquor permit or a renewal of such a
8 permit shall make a sworn application therefor to the Department of
9 Consumer Protection upon forms to be furnished by the department,
10 showing the name and address of the applicant and of the applicant's
11 backer, if any, the location of the club or place of business which is to
12 be operated under such permit and a financial statement setting forth
13 all elements and details of any business transactions connected with
14 the application. Such application shall include a detailed description of
15 the type of live entertainment that is to be provided. A club or place of

16 business shall be exempt from providing such detailed description if
17 the club or place of business (A) was issued a liquor permit prior to
18 October 1, 1993, and (B) has not altered the type of entertainment
19 provided. The application shall also indicate any crimes of which the
20 applicant or the applicant's backer may have been convicted.
21 Applicants shall submit documents sufficient to establish that state and
22 local building, fire and zoning requirements and local ordinances
23 concerning hours and days of sale will be met, except that local
24 building and zoning requirements and local ordinances concerning
25 hours and days of sale shall not apply to any class of airport permit. A
26 renewal applicant shall maintain such applicant's license for a
27 minimum of twenty days after the expiration date for such license if
28 the applicant has requested a municipal fire code inspection and such
29 inspection has not yet been completed prior to the expiration date for
30 such license. The State Fire Marshal or the marshal's certified designee
31 shall be responsible for approving compliance with the State Fire Code
32 at Bradley International Airport. Any person desiring a permit
33 provided for in section 30-33b shall file a copy of such person's license
34 from the Division of Special Revenue or the Gaming Policy Board with
35 such application. The department may, at its discretion, conduct an
36 investigation to determine whether a permit shall be issued to an
37 applicant.

38 (2) The applicant shall pay to the department a nonrefundable
39 application fee, which fee shall be in addition to the fees prescribed in
40 this chapter for the permit sought. An application fee shall not be
41 charged for an application to renew a permit. The application fee shall
42 be in the amount of ten dollars for the filing of each application for a
43 permit by a charitable organization, including a nonprofit public
44 television corporation, a nonprofit golf tournament permit, a
45 temporary permit or a special club permit; and for all other permits in
46 the amount of one hundred dollars for the filing of an initial
47 application. Any permit issued shall be valid only for the purposes and
48 activities described in the application.

49 (3) The applicant, immediately after filing an application, shall give
50 notice thereof, with the name and residence of the permittee, the type
51 of permit applied for and the location of the place of business for
52 which such permit is to be issued and the type of live entertainment to
53 be provided, all in a form prescribed by the department, by publishing
54 the same in a newspaper having a circulation in the town in which the
55 place of business to be operated under such permit is to be located, at
56 least once a week for two successive weeks, the first publication to be
57 not more than seven days after the filing date of the application and
58 the last publication not more than fourteen days after the filing date of
59 the application. The applicant shall affix, and maintain in a legible
60 condition upon the outer door of the building wherein such place of
61 business is to be located and clearly visible from the public highway,
62 the placard provided by the department, not later than the day
63 following the receipt of the placard by the applicant. If such outer door
64 of such premises is so far from the public highway that such placard is
65 not clearly visible as provided, the department shall direct a suitable
66 method to notify the public of such application. When an application is
67 filed for any type of permit for a building that has not been
68 constructed, such applicant shall erect and maintain in a legible
69 condition a sign not less than six feet by four feet upon the site where
70 such place of business is to be located, instead of such placard upon
71 the outer door of the building. The sign shall set forth the type of
72 permit applied for and the name of the proposed permittee, shall be
73 clearly visible from the public highway and shall be so erected not
74 later than the day following the receipt of the placard. Such applicant
75 shall make a return to the department, under oath, of compliance with
76 the foregoing requirements, in such form as the department may
77 determine, but the department may require any additional proof of
78 such compliance. Upon receipt of evidence of such compliance, the
79 department may hold a hearing as to the suitability of the proposed
80 location. The provisions of this subdivision shall not apply to
81 applications for airline permits, charitable organization permits,
82 temporary permits, special club permits, concession permits, military

83 permits, railroad permits, boat permits, warehouse permits, brokers'
84 permits, out-of-state shippers' permits for alcoholic liquor and out-of-
85 state shippers' permits for beer, coliseum permits, coliseum concession
86 permits, special sporting facility restaurant permits, special sporting
87 facility employee recreational permits, special sporting facility guest
88 permits, special sporting facility concession permits, special sporting
89 facility bar permits, nonprofit golf tournament permits, nonprofit
90 public television permits and renewals. The provisions of this
91 subdivision regarding publication and placard display shall also be
92 required of any applicant who seeks to amend the type of
93 entertainment upon filing of a renewal application.

94 (4) In any case in which a permit has been issued to a partnership, if
95 one or more of the partners dies or retires, the remaining partner or
96 partners need not file a new application for the unexpired portion of
97 the current permit, and no additional fee for such unexpired portion
98 shall be required. Notice of any such change shall be given to the
99 department and the permit shall be endorsed to show correct
100 ownership. When any partnership changes by reason of the addition of
101 one or more persons, a new application with new fees shall be
102 required.

103 (c) Any ten persons who are at least eighteen years of age, and are
104 residents of the town within which the business for which the permit
105 or renewal thereof has been applied for, is intended to be operated, or,
106 in the case of a manufacturer's or a wholesaler's permit, any ten
107 persons who are at least eighteen years of age and are residents of the
108 state, may file with the department, within three weeks from the last
109 date of publication of notice made pursuant to subdivision (3) of
110 subsection (b) of this section for an initial permit, and in the case of
111 renewal of an existing permit, at least twenty-one days before the
112 renewal date of such permit, a remonstrance containing any objection
113 to the suitability of such applicant or proposed place of business. Upon
114 the filing of such remonstrance, the department, upon written
115 application, shall hold a hearing and shall give such notice as it deems

116 reasonable of the time and place at least five days before such hearing
117 is had. The remonstrants shall designate one or more agents for
118 service, who shall serve as the recipient or recipients of all notices
119 issued by the department. At any time prior to the issuance of a
120 decision by the department, a remonstrance may be withdrawn by the
121 remonstrants or by such agent or agents acting on behalf of such
122 remonstrants and the department may cancel the hearing or withdraw
123 the case. The decision of the department on such application shall be
124 final with respect to the remonstrance.

125 (d) No new permit shall be issued until the foregoing provisions of
126 subsections (a) and (b) of this section have been complied with. Six
127 months' or seasonal permits may be renewed, provided the renewal
128 application and fee shall be filed at least twenty-one days before the
129 reopening of the business, there is no change in the permittee,
130 ownership or type of permit, and the permittee or backer did not
131 receive a rebate of the permit fee with respect to the permit issued for
132 the previous year.

133 (e) The department may renew a permit that has expired if the
134 applicant pays to the department a nonrefundable late fee pursuant to
135 subsection (c) of section 21a-4, which fee shall be in addition to the fees
136 prescribed in this chapter for the permit applied for. The provisions of
137 this subsection shall not apply to one-day permits, to any permit which
138 is the subject of administrative or court proceedings, or where
139 otherwise provided by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	30-39

Statement of Purpose:

To allow a business to maintain its liquor license twenty days beyond the license expiration date if a fire marshal's inspection has not yet been completed.

[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.]