



General Assembly

Substitute Bill No. 5151

February Session, 2014



AN ACT CONCERNING HOOKAH LOUNGES.

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For the purposes of
2 this section:

3 (1) "Hookah lounge" means space, in a suitable and permanent
4 building, kept, used, maintained, advertised and held out to the public
5 as a place where hookahs or water pipes are regularly made available
6 for use by the public;

7 (2) "Licensing authority" means the chief of police of the
8 municipality or the chief executive officer of the town in which there is
9 no police department; and

10 (3) "Operate" means to lease, rent or own space, in a suitable and
11 permanent building, that is open pursuant to a valid certificate of
12 occupancy.

13 (b) A licensing authority may grant a license to suitable persons to
14 operate a hookah lounge within the limits of such municipality or
15 town, and may suspend or revoke such license for good cause, which
16 shall include, but not be limited to, failure to comply with any
17 requirements for licensure specified by the licensing authority at the
18 time of issuance.

19 (c) An application for such license shall be made in writing, under
20 oath. The application shall contain: (1) The type of business to be
21 engaged in, (2) the applicant's full name, age, and date and place of
22 birth, (3) the applicant's residence addresses and places of employment
23 within the preceding three years, (4) the applicant's present
24 occupation, and (5) such additional information as the licensing
25 authority deems necessary to investigate the qualifications, character,
26 competency and integrity of the applicant. If the applicant is a
27 corporation, limited liability company, partnership or association, the
28 application shall contain the information required by this subsection
29 for each individual who is or will be an officer, shareholder, financial
30 backer or creditor, other than a financial institution, of such entity or
31 any other individual with a relationship to such entity similar to that of
32 an officer, shareholder, financial backer or creditor.

33 (d) The person so licensed shall pay to the licensing authority a
34 license fee of one hundred dollars, and fifty dollars per year thereafter
35 for renewal of such license.

36 (e) Each such license shall (1) designate the place where the hookah
37 lounge is to operate, (2) include the hours of operation, and (3) be in
38 effect for one year unless sooner suspended or revoked by the
39 licensing authority. Such license shall be displayed in a conspicuous
40 location in the place where the hookah lounge operates.

41 (f) A hookah lounge shall be subject to inspection by the licensing
42 authority or any person or persons designated by the licensing
43 authority.

44 (g) The licensing authority shall grant or deny an application for a
45 license not later than ninety days after the filing of such application
46 with the licensing authority. A licensee seeking renewal of such license
47 shall file an application for renewal at least sixty days before the
48 expiration of such license and the licensing authority shall grant or
49 deny such renewal not later than thirty days after the filing of such
50 application for renewal. Failure of the licensing authority to act on

51 such initial application or renewal application within the applicable
52 period specified in this subsection shall be deemed to be a denial. The
53 licensing authority may suspend, revoke or modify any license issued
54 under this section at any time during the period of the license for good
55 cause shown, upon notice to the licensee and following a hearing. The
56 licensing authority shall hold any such hearing not later than five days
57 after the date of issuance of such notice, and shall issue a decision not
58 more than fourteen days after any hearing. Any person aggrieved by
59 any action of the licensing authority in denying, suspending, revoking,
60 modifying or refusing to renew a license pursuant to this section may
61 appeal from such action to the Superior Court.

62 (h) Any person operating a hookah lounge without a license, or
63 after notice that his or her license has been suspended or revoked, shall
64 be fined not more than two hundred dollars. In the event of a
65 continuing violation, each day of continuance shall be a separate and
66 distinct offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section

PS *Joint Favorable Subst.*

PD *Joint Favorable*

JUD *Joint Favorable*