

## PRIVATE CLUB GUIDELINES – EMPLOYEE

### **THIS IS A PARTIAL LIST OF CONDITIONS AND REQUIREMENTS. FOR A COMPLETE LIST SEE TITLE 32A ALCOHOLIC BEVERAGE CONTROL ACT AND R81 ALCOHOLIC BEVERAGE CONTROL, ADMINISTRATION**

#### **32A-5-107. Operational restrictions.**

Each club granted a private club license and the employees, management personnel, and members of the club shall comply with the following conditions and requirements. Failure to comply may result in a suspension or revocation of the license or other disciplinary action taken against individual employees or management personnel.

- (5) (a) Each private club may, in its discretion, allow an individual to be admitted to or use the club premises as a guest only under the following conditions:
- (i) each guest must be previously authorized by one of the following who agrees to host the guest into the club:
    - (A) an active member of the club; or
    - (B) a holder of a current visitor card;
  - (ii) each guest must be known by the guest's host based on a preexisting bonafide business or personal relationship with the host prior to the guest's admittance to the club;
  - (iii) each guest must be accompanied by the guest's host for the duration of the guest's visit to the club;
  - (iv) each guest's host must remain on the club premises for the duration of the guest's visit to the club;
  - (v) each guest's host is responsible for the cost of all services extended to the guest;
  - (vi) each guest enjoys only those privileges derived from the guest's host for the duration of the guest's visit to the club;
  - (vii) an employee of the club, while on duty, may not act as a host for a guest;
  - (viii) an employee of the club, while on duty, may not attempt to locate a member or current visitor card holder to serve as a host for a guest with whom the member or visitor card holder has no acquaintance based on a preexisting bonafide business or personal relationship prior to the guest's arrival at the club; and
  - (ix) a club and its employees may not enter into an agreement or arrangement with a club member or holder of a current visitor card to indiscriminately host members of the general public into the club as guests.
- (b) Notwithstanding Subsection (5)(a), previous authorization is not required if:
- (i) the licensee is a class B private club; and
  - (ii) the guest is a member of the same fraternal organization as the private club licensee.

(6) Each private club may, in its discretion, issue visitor cards to allow individuals to enter and use the club premises on a temporary basis under the following conditions:

- (a) each visitor card shall be issued for a period not to exceed three weeks;
- (b) a fee of not less than \$4 shall be assessed for each visitor card issued;
- (c) a visitor card shall not be issued to a minor;
- (d) a holder of a visitor card may not host more than seven guests at one time

(9) An employee of a club, while on duty, may not:

- (a) consume an alcoholic beverage;
- (b) be intoxicated; or
- (c) act as a host for a guest.

(17) (a) A private club may not maintain facilities in any manner that barricades or conceals the club operation.

(b) Any member of the commission, authorized department personnel, or any peace officer shall, upon presentation of credentials, be admitted immediately to the club and permitted without hindrance or delay to inspect completely the entire club premises and all books and records of the licensee, at any time during which the same are open for the transaction of business to its members.

(19) A private club must have food available at all times when alcoholic beverages are sold, served, or consumed on the premises.

(21) A private club licensee may sell or provide any primary spirituous liquor only in a quantity not to exceed one ounce per beverage dispensed through a calibrated metered dispensing system approved by the department in accordance with commission rules adopted under this title, except that:

(a) spirituous liquor need not be dispensed through a calibrated metered dispensing system if used as a secondary flavoring ingredient in a beverage subject to the following restrictions:

(i) the secondary ingredient may be dispensed only in conjunction with the purchase of a primary spirituous liquor;

(ii) the secondary ingredient is not the only spirituous liquor in the beverage;

(iii) the private club licensee shall designate a location where flavorings are stored on the floor plan provided to the department; and

(iv) all flavoring containers shall be plainly and conspicuously labeled "flavorings";

(b) spirituous liquor need not be dispensed through a calibrated metered dispensing system if used:

(i) as a flavoring on desserts; and

(ii) in the preparation of flaming food dishes, drinks, and desserts; and

(c) each club patron may have no more than 2.75 ounces of spirituous liquor at a time before the patron.

(22) (a) (i) Wine may be sold and served by the glass or an individual portion not to exceed five ounces per glass or individual portion.

(ii) An individual portion may be served to a patron in more than one glass as long as the total amount of wine does not exceed five ounces.

(iii) An individual portion of wine is considered to be one alcoholic beverage under Subsection (26)(c).

(b) (i) Wine may be sold and served in containers not exceeding 1.5 liters at prices fixed by the commission to tables of four or more persons.

(ii) Wine may be sold and served in containers not exceeding 750 ml at prices fixed by the commission to tables of less than four persons.

(c) A wine service may be performed and a service charge assessed by the private club as authorized by commission rule for wine purchased at the private club.

(23) (a) Heavy beer may be served in original containers not exceeding one liter at prices fixed by the commission.

(b) A service charge may be assessed by the private club for heavy beer purchased at the private club.

(24) (a) (i) Subject to Subsection (24)(a)(ii), a private club licensed to sell liquor may sell beer for on-premise consumption:

(A) in an open container; and

(B) on draft.

(ii) Beer sold shall be in a size of container that does not exceed two liters, except that beer may not be sold to an individual patron in a size of container that exceeds one liter.

(26) (a) A patron may only make alcoholic beverage purchases in the private club from and be served by a person employed, designated, and trained by the licensee to sell, dispense, and serve alcoholic beverages.

(b) Notwithstanding Subsection (26)(a), a patron who has purchased bottled wine from an employee of the private club or has carried bottled wine onto the premises of the private club pursuant to Subsection (32) may thereafter serve wine from the bottle to the patron or others at the patron's table.

(c) Each club patron may have no more than two alcoholic beverages of any kind at a time before the patron.

(27) The liquor storage area shall remain locked at all times other than those hours and days when liquor sales and service are authorized by law.

(28) (a) Liquor may not be sold, offered for sale, served, or otherwise furnished at a private club during the following days or hours:

(i) until after the polls are closed on the day of any:

(A) regular general election;

(B) regular primary election; or

(C) statewide special election;

(ii) until after the polls are closed on the day of any municipal, special district, or school election, but only:

(A) within the boundaries of the municipality, special district, or school district; and

(B) if required by local ordinance; and

(iii) on any other day after 1 a.m. and before 10 a.m.

(b) The hours of beer sales and service are those specified in Chapter 10, Beer Retailer Licenses, for on-premise beer licenses.

(c) (i) Notwithstanding Subsections (28)(a) and (b), a private club shall remain open for one hour after the private club ceases the sale and service of alcoholic beverages during which time a patron of the club may finish consuming:

(A) any single drink containing spirituous liquor;

(B) a single serving of wine not exceeding five ounces;

(C) a single serving of heavy beer; or

(D) a single serving of beer not exceeding 26 ounces.

(ii) A club is not required to remain open:

(A) after all patrons have vacated the premises; or

(B) during an emergency.

(d) Between the hours of 2 a.m. and 10 a.m. on any day a private club may not allow a patron to remain on the premises to consume alcoholic beverages on the premises.

(29) Alcoholic beverages may not be sold, served, or otherwise furnished to any:

(a) minor;

(b) person actually, apparently, or obviously intoxicated;

(c) known habitual drunkard; or

(d) known interdicted person.

(31) Alcoholic beverages may not be purchased for a patron of the private club by:

(a) the licensee; or

(b) any employee or agent of the licensee.

(32) (a) A person may not bring onto the premises of a private club licensee any alcoholic beverage for on-premise consumption, except a person may bring, subject to the discretion of the licensee, bottled wine onto the premises of any private club licensee for on-premise consumption.

(33) (a) Except as provided in Subsection (33)(b), a private club and its employees may not permit a patron of the club to carry from the club premises an open container that:

(i) is used primarily for drinking purposes; and

(ii) contains any alcoholic beverage.

(b) A patron may remove the unconsumed contents of a bottle of wine if before removal the bottle has been recorked or recapped.

(35) An employee of a private club, while on duty, may not:

(a) consume an alcoholic beverage; or

(b) be intoxicated.

(41) A private club may not engage in or permit any form of gambling, or have any video gaming device

ALL EMPLOYEES SHOULD READ AND UNDERSTAND THESE RESTRICTIONS AND RULES. IF AN EMPLOYEE DOES NOT UNDERSTAND ANY OF THESE RESTRICTIONS OR RULES, OR ANY OTHER LAWS, RESTRICTIONS, OR RULES THEY MUST DISCUSS THIS MISUNDERSTANDING WITH THEIR SUPERVISOR, MANAGER, OR THE OWNER OF THE OPERATION.

I HAVE READ AND UNDERSTAND THESE RESTRICTIONS AND RULES.

PRINT EMPLOYEE NAME

EMPLOYEE SIGNATURE

DATE

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