

TAVERN LICENSE – POST FOR ALL EMPLOYEES TO READ AND SEE

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-10-206. Operational restrictions.

Each person granted an on-premise beer retailer license and the employees and management personnel of the on-premise beer retailer licensee 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.

(1) (a) Subject to Subsection (1)(b), a beer retailer licensee may sell beer for on-premise consumption:

- (i) in an open container; and
- (ii) on draft.

(b) Beer sold pursuant to Subsection (1)(a) 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.

(2) Liquor may not be stored or sold on the premises of any on-premise beer retailer licensee.

(3) A patron of the on-premise beer retailer may only make purchases from and be served by a person employed, designated, and trained by the licensee to sell and serve beer.

(4) (a) Beer may not be sold, offered for sale, served, or otherwise furnished at any on-premise beer retailer establishment after 1 a.m. and before 10 a.m.

(b) Beer may not be sold, served, or otherwise furnished to any:

- (i) minor;
- (ii) person actually, apparently, or obviously intoxicated;
- (iii) known habitual drunkard; or
- (iv) known interdicted person.

(c) (i) Notwithstanding Subsection (4)(a), a tavern licensed under this chapter shall remain open for one hour after the tavern ceases the sale and service of alcoholic beverages during which time a patron of the tavern may finish consuming a single serving of beer not exceeding 26 ounces.

(ii) A tavern 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 tavern may not allow a patron to remain on the premises to consume alcoholic beverages on the premises.

(5) (a) Beer may not be sold at less than the cost of the beer to the licensee.

(b) Beer may not be sold at a special or reduced price that encourages over consumption or intoxication.

(c) Beer may not be sold at a special or reduced price for only certain hours of the beer retailer's business day such as a "happy hour."

(d) The sale or service of more than one alcoholic beverage for the price of a single alcoholic beverage is prohibited.

(e) The sale or service of an indefinite or unlimited number of alcoholic beverages during any set period for a fixed price is prohibited.

(f) An on-premise beer licensee may not engage in a public promotion involving or offering free alcoholic beverages to the general public.

(6) Beer sold in sealed containers by the on-premise beer retailer licensee may be removed from the on-premise beer retailer premises.

(7) (a) A person may not bring onto the premises of an on-premise beer retailer licensee any alcoholic beverage for on-premise consumption.

(b) An on-premise beer retailer licensee or its officers, managers, employees, or agents may not:

(i) allow a person to bring onto the on-premise beer retailer licensee premises any alcoholic beverage for on-premise consumption; or

(ii) allow consumption of any such alcoholic beverage on its premises.

(8) An on-premise beer retailer licensee and its employees may not permit a patron to carry from the premises an open container that:

(a) is used primarily for drinking purposes; and

(b) contains any alcoholic beverage.

(9) (a) Except as provided in Subsection (9)(b), a minor may not be:

(i) employed by or be on the premises of an on-premise beer retailer licensee to sell, dispense, or otherwise furnish beer; or

(ii) on the premises of any tavern.

(b) Notwithstanding Subsection (9)(a), a minor may be employed to enter the sale at a cash register or other sales recording device on the premises of an on-premise beer retailer that is not a tavern.

(10) An employee of a licensee, while on duty, may not:

(a) consume an alcoholic beverage; or

(b) be intoxicated.

(15) An on-premise beer retailer licensee may not engage in or permit any form of gambling, or have any video gaming device, as defined and proscribed in Title 76, Chapter 10, Part 11, Gambling, on the premises of the on-premise beer retailer licensee.

R81-4A-13. Identification Badge.

Each employee of the licensee who sells, dispenses or provides alcoholic beverages shall wear a unique identification badge visible above the waist, bearing the employee's first name, initials, or a unique number in letters or numbers not less than 3/8 inch high. The identification badge must be worn on the front portion of the employee's body. The licensee shall maintain a record of all employee badges assigned, which shall be available for inspection by any peace officer, or representative of the department. The record shall include the employee's full name and address and a driver's license or similar identification number.

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