

UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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On-premise Banquet License Summary

Note: This is general information only and should not be considered conclusive. For further detail, please consult Title 32B of the Utah Code (<http://le.utah.gov/UtahCode/chapter.jsp?code=32B>) or the Rules of the Commission (<http://www.rules.utah.gov/publicat/code/r081/r081.htm>)

An on-premise banquet license allows the storage, sale, service, and consumption of liquor, wine, heavy beer, and beer for private banquet activities on the premises of a hotel, resort facility, sports center, or convention center. Alcoholic beverages may be provided at a hosted bar (the host of the banquet pays for alcoholic beverages provided), or a cash bar (banquet patrons pay for the alcoholic beverages). The on-premise banquet license also allows for room service in hotels and resorts. Licenses run from November 1 to October 31. The total number of licenses allowed by law is one per 30,000 people in the state.

Requirements for Banquets

Contract Required

- An on-premise banquet licensee may only serve alcoholic beverages pursuant to a contract for a private banquet function. A banquet contract is an agreement between an on-premise banquet licensee and a host of a banquet to provide alcoholic beverages at a meal, reception, or other private banquet function at a defined location on a specific date and time for a pre-arranged, guaranteed number of attendees at a negotiated price.
- Each banquet contract shall:
 - (a) clearly define the location of the private banquet function;
 - (b) require that the private banquet function be separate from other areas of the facility that are open to the general public; and
 - (c) require signage at or near the entrance to the private banquet function to indicate that the location has been reserved for a specific group.

Food Requirement

- Each on-premise banquet licensee shall maintain at least 50% of its total annual banquet receipts from the sale of food.



- Expensive wines in excess of \$250 per bottle are not included in calculating the food to alcohol ratio.

Supervision

- A licensee's employee must remain at a banquet when alcoholic beverages are being sold, served, and consumed.

Sale and Service of Alcoholic Beverages at a Banquet

(1) Liquor Sales

- (a) The primary liquor in a mixed drink may be dispensed from any size bottle, but only in quantities **not to exceed** 1.5 ounces through a department approved calibrated metered dispensing system or device.
- (b) Liquor used as a secondary flavoring need not be dispensed through the dispensing system. Liquor stored and used as flavorings must be clearly labeled "flavoring".
- (c) The total amount of spirituous liquor in a beverage (including both the primary liquor and any secondary flavorings) may not exceed 2.5 ounces of spirituous liquor.

(2) Wine Sales

- (a) Wine may be sold and served by the bottle or container in sizes not exceeding 1.5 liters.
- (b) Wine may be served by the glass or individual portion in quantities not exceeding 5 ounces. An individual portion (i.e. flights) may be served to a patron in more than one glass as long as the total amount of wine in the individual portion does not exceed 5 ounces.
- (c) Wine may be poured by the glass from any size bottle or container and need not be dispensed through a dispensing device.
- (d) Banquet attendees who have purchased bottled wine may serve themselves or others at their table.

- (3) **Heavy Beer Sales:** Heavy beer may be served in original containers not exceeding one liter.
- (4) **Flavored Malt Beverage Sales:** Flavored malt beverages may be served in original containers not exceeding one liter.
- (5) **Beer Sales:** Light beer may be served in any size container not exceeding 2 liters and on draft. Beer may be sold by the pitcher (up to two liters) to two or more patrons, but may be sold to an individual patron only in a container that does not exceed one liter.

Limitation on Total Number of Drinks

- Each banquet attendee may have no more than one spirituous liquor drink before the patron at a time.
- Other than spirituous liquor drinks, each banquet attendee may have no more than two alcoholic beverages of any kind at a time before the patron.

Discounting Practices Prohibited

-  Alcoholic beverages may not be sold at a discount at any time.
- Other discounting practices are prohibited that encourage over-consumption of alcohol (i.e. “happy hours”, “two for ones”, free alcohol, or selling at less than cost).
- An on-premise banquet licensee or employee may not purchase an alcoholic beverage for a patron.

Consumption on the premises

- A banquet attendee may not remove any alcoholic beverages from the premises of a banquet.

“Brown Bagging”

- Patrons may not bring any alcoholic beverages into or onto the premises of a banquet.

Unsold Alcoholic Beverages

- Unsold alcoholic beverages may not be left at a banquet at its conclusion.
- Alcoholic beverages that are open and unused that are *not* in saleable condition shall be destroyed.
- Unopened alcoholic beverages or alcoholic beverages that are open and unused that *are* in saleable condition shall be returned to the banquet licensee’s approved locked storage area and may be used at more than one banquet.

Advance Notice of Scheduled Banquets

- Banquet licensees shall file with the department at the beginning of each quarter a report containing advance notice of events or functions to be held under a banquet contract that have been scheduled for that quarter.

Warning Sign

-  Each on-premise banquet licensee shall prominently display at each banquet, a sign no smaller than eight and one half inches high by eleven inches wide stating: *“WARNING - Drinking alcoholic beverages during pregnancy can cause birth defects and permanent brain damage for the child. Call the Utah Department of Health at 1-800-822-2229 with questions or for more information. Driving under the influence of alcohol or drugs is a serious crime that is prosecuted aggressively in Utah.”* The two warning messages shall be in the same font size but different font styles that are no smaller than 36 point bold. The font size for the health department contact information shall be no smaller than 20 point bold.

Requirements for Room Service

- Delivery of alcoholic beverages shall be made in person to an adult guest in the guest room of a hotel or resort facility.
- Alcoholic beverages may not be left outside the guest room for retrieval by a guest.
-  Alcoholic beverages may be provided by the drink (in other than a sealed container). Portion size restrictions and calibrated metered dispensing system requirements regarding the sale and service of alcoholic beverages at a banquet also apply to room service sales.
- Alcoholic products may be sold in sealed containers.

General regulations: Banquets and Room service

Advertising

- The advertising of alcoholic beverages must comply with the guidelines in Rule R81-1-17 which may be viewed at: <http://www.rules.utah.gov/publicat/code/r081/r081-01.htm#T16>

Sales and Consumption Hours

- Alcoholic beverages may be sold on any day from 10 a.m. until 1 a.m.
- The alcoholic beverage storage area must remain locked at times when alcohol sales are not permitted.
- *Hours of Consumption:*  Patrons may not consume an alcoholic product on the premises after 2 a.m. and before 10:00 a.m.

Employees

- Any employee handling alcoholic beverages must be twenty one years of age or older.
- Servers of alcohol must wear a unique identification badge showing the employee's first name, initials, or a number assigned by the employer.
- Employees may not consume or be under the influence of alcoholic beverages while on duty.
- Managers, supervisors, and employees who serve alcohol must take and pass an alcohol server training seminar every three years and must complete the training within 30 days of commencing employment.
- Any employee who sells or serves alcoholic beverages does so under the direction and supervision of the on-premise banquet licensee.

Employee Fines

- The commission is authorized to assess an administrative fine against an officer, employee, or agent of a licensee for a violation of the alcoholic beverage laws.

Minors

- Minors may be employed by an on-premise banquet licensee, but may not sell, serve, or dispense alcoholic beverages.

Bad Checks

- The DABC may immediately suspend the license if it receives a bad check as payment for liquor, licensing or bond fees, fines and costs for violations.

Prohibited Conduct

- Lewd acts, attire, and sexually oriented conduct of employees and entertainers that are considered contrary to public welfare and morals are prohibited on the premises. See Utah Code Section 32B-1-501 through 506 which may be viewed at: <http://www.le.utah.gov/UtahCode/section.jsp?code=32B-1>
- Gambling – On-Premise Banquet Licensees may not engage in or permit any form of gambling on its premises.
- Illegal drugs or drug paraphernalia - A retail licensee may not knowingly allow a person on the licensed premises to sell, distribute, possess, or use a controlled substance; or use, deliver, or possess with the intent to deliver drug paraphernalia. See Utah Code Section 32B-5-301(5) which may be viewed at: http://le.utah.gov/~code/TITLE32B/htm/32B05_030100.htm