

# UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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## Airport Lounge 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 airport lounge license allows the storage, sale, service, and consumption of alcoholic beverages on the premises of an airport lounge. Airport lounges may be established at international airports that have a U.S. Customs office on the airport premises. An airport lounge liquor licensee's premises may not be leased for a private event. Licenses run from November 1 to October 31. The total number of airport lounge liquor licenses may not exceed one lounge for each 2,500,000 of total passengers at the international airport located beyond the security point.

### Purchases of Alcoholic Beverages

- Airport lounges must purchase all liquor, wine, and heavy beer from state stores or package agencies.
- Airport lounges must purchase, acquire, possess for resale, or sell beer that has been lawfully purchased from a Utah wholesaler who is authorized to sell beer in the geographical area in which the airport lounge is located, or from a small brewer (manufactures less than 60,000 barrels per year).

### Sale and Service of Alcoholic Beverages

#### (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. The airport lounge must post a list of types and brands of liquor dispensed through the dispensing system.
- (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.
- (d) Each patron may have no more than a total of 2.5 ounces of spirituous liquor (including flavorings) at a time before the patron.

#### (2) Wine Sales

- (a) Wine may be sold and served by the bottle or container in sizes not exceeding 1.5 liters to tables of four or more. For tables of less than four, the size can not be larger than 750 ml.
- (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) Patrons 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:** 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 airport lounge patron may have no more than two alcoholic beverages of any kind at a time before the patron subject to the following limitations:

If two spirituous drinks are in front of a patron, one may not be the same primary liquor dispensed as a shot-on-the-side (commonly known as a “side car”). Also, the two drinks cannot contain a total of more than 2.5 ounces of liquor 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”, “all you can drink for a set price”, free alcohol, or selling at less than cost).
- An airport lounge licensee or employee may not purchase an alcoholic beverage for a patron.

### **Consumption only on the Premises**

- An airport lounge licensee and its employees may not permit a patron to remove any alcoholic beverages from the premises.

### **“Brown Bagging”**

- Patrons may not bring onto the premises of an airport lounge licensee any alcoholic beverage for on-premise consumption.

### **Advertising**

- Alcohol advertising by the airport lounge 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>.
- Alcoholic beverages *may* be stored where they are visible to patrons.

### **Sales Hours**

- Alcoholic beverages may be sold on any day from 8 a.m until midnight.
- The liquor storage area must remain locked at times when liquor sales are not permitted.
- *Hours of Consumption:* patrons may not consume an alcoholic product on the premises after 1 a.m. and before 8 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.

### **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 airport lounge licenses, but may not sell or dispense alcoholic beverages.
- Minors may work at a cash register to ring up the sale of 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, etc.

## **Sign Posting**

Each airport lounge licensee shall display, in a prominent place:

- a sign no smaller than 8.5 inches high by 11 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 styles that are no smaller than 36 point bold. The health department contact information shall be no smaller than 20 point bold.
- a sign to inform the public that alcoholic products are sold and consumed on the licensed premises.

## **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 – Airport lounge licensees may not engage in or permit any form of gambling on its premises.
- Illegal drugs or drug paraphernalia - Airport lounge licensees 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](http://le.utah.gov/~code/TITLE32B/htm/32B05_030100.htm)