



The

# COMPLIANCE CONNECTION



*Your liquor law link to the ABC!!*

Vol. 11, No. 3

The Utah Department of Alcoholic Beverage Control

Summer 2003

## License Renewals

by Neil Cohen

**P**ublic liquor licenses fall under **four** categories; full service restaurant, limited service restaurant, airport lounge, and on-premise banquet. These licensees will receive a renewal application in early September. The renewal documents and fees are due on Tuesday, September 30, 2003.

### Full Service Restaurants

**Renewal fees** are based on the annual cost of liquor, wine, and heavy beer purchased from the DABC state store system (gross cost of liquor). Renewing licensees in previous years have submitted this figure to the DABC on the "Form E - Financial Spreadsheet" under "cost of sales - liquor". This is the figure the DABC will use to determine renewal fees for this year.

For a restaurant that is renewing for the first time, the DABC will calculate the renewal fee based on the projected cost of liquor from any financial statements that have been provided to the DABC or from data in the state store system.

The renewal fees are as follows:

<u>Gross Cost of Liquor</u>	<u>Renewal Fee</u>
under \$5,000	\$750
\$5,000 to \$9,999	\$950
\$10,000 to \$24,999	\$1250
\$25,000 or above	\$1500

The cost of liquor sales can be calculated by adding up all purchases for a given period (i.e. month and/or year) or by adjusting the purchases for the inventory on hand. If a restaurant calculates the cost of liquor sales by adjusting for the inventory on hand, the result will be a truer cost because it accounts for any large purchases made at the end of the accounting period. Restaurants are encouraged to consult with an accountant or bookkeeper to determine which is the best method for each restaurant. Whichever method is chosen, it must be used consistently.

### Time is running out to convert to a limited restaurant license!

The new alcoholic beverage control laws give currently licensed full service restaurants the option of converting to the new, less expensive, "limited" restaurant license (wine/heavy beer/ beer only).

Restaurants that sell wine, heavy beer and beer

only and *do not sell distilled spirits* should consider making this switch as soon as possible because there are financial incentives for doing so. Restaurants considering this option must apply for the limited license and make the switch-over *before* October 31, 2003. This is a business decision that you, the restaurateur, need to make **based on your own individual circumstances**.

If you convert before your current license expires on October 31st, the \$250 application fee and \$500 initial license fee for the new limited restaurant license are waived. You will only have to pay the renewal fee (\$300) for the new license on September 30, 2003. This means you will only pay a total of \$300 to operate as a limited restaurant through October 31, 2004.

Conversely, if you renew your current restaurant license and then convert to a limited restaurant after October 31st, your overall licensing fees will be substantially higher. You will pay the full restaurant renewal fee which has significantly increased (\$750 to \$1500 depending on your gross cost of liquor), and the \$250 application fee, and \$500 initial license fee for the new limited restaurant license. Total licensing fees could run you as high as \$2250 for the same period!

Also note that the bond requirement for a limited restaurant license is only \$5,000. The bond requirement for the full service restaurant license is \$10,000. So if you are considering converting, you can save up to \$1950 by acting now before your current restaurant liquor license expires!

Note that the operational guidelines for the new limited license are the same as for your current restaurant license except that no distilled spirits may be sold.

The application process has been streamlined for currently licensed full service restaurants that wish to switch to the limited restaurant license :

1. Call the DABC Licensing & Compliance Division at 801-977-6800 and request that a Limited Restaurant License application be mailed, or one may be picked up at our office, 1625 South 900 West, Salt Lake City.
2. The application will contain a form to submit that surrenders your current restaurant license upon the granting

of the new limited restaurant license.

*Continued on the next page*

### License renewals

*Continued from the previous page*

### Limited Service Restaurants

Licensees who have recently applied for and received a limited restaurant license, and those who have converted a full service license to a limited restaurant license will receive a renewal packet with forms that need to be filled out and submitted with the renewal fee of \$300.

### Airport Lounges

Currently licensed airport lounges will receive a renewal packet with forms that need to be filled out and submitted with the renewal fee of \$5000.

### On-Premise Banquet Licensees

The renewal fee for an on-premise banquet license is \$500. Licensees will receive a renewal notice from the DABC in early September.Ē

## F.Y.I.

### Temporary Beer Permits

By **Stephne Hanson**

**A**s of May 5, 2003, before any person may sell beer for on-premise consumption at a temporary event that does not last longer than 30 days, they must obtain a temporary special event beer permit from the commission. The primary purpose behind this law is the same as for single event permits. It is intended to provide uniform, statewide operational standards to guide both permittees and state and local law enforcement officials in the regulation of the storage, sale, dispensing, and consumption of those products at such events. The special event beer permit is in addition to any local permit that may be required by the city where the event will take place. The sale of beer under a series of permits issued to the same person may not exceed a total of 90 days in any one calendar year.

The application fee is \$75.00. If for some reason the permit is not granted, the \$75.00 fee is refundable.

Applications may be picked up at the DABC's administrative office or mailed out. The procedure is to submit a completed application by the 10<sup>th</sup> of the month to the licensing division of the DABC. A licensing and compliance specialist will go over the submitted application with you and discuss any missing items and any needed control measures for the event.

To minimize the risk of minors being furnished or sold alcohol or adults being over-served alcohol at the temporary special event, an applicant should assess the adequacy of control measures for the event. Before a permit is granted, the commission will consider factors or circumstances such as times, dates, location, estimated attendance, adequacy of security and enforcement personnel, and purpose of the temporary special event.

Contact a licensing and compliance specialist for further information or visit our website for a detailed summary of the Temporary Beer Permits at [www.abc.utah.gov](http://www.abc.utah.gov); click Licenses & Permits, then General Information, then Temporary Beer.Ē

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## Terrific Training Resources

### COPS + CLUBS + DABC

by Tom Zdunich

For those of you who are not familiar with the "Cops" portion of this equation, Cops is a term used by the State Bureau of Investigation to identify themselves in the current training that is being extended to our licensees.

This training addresses two enforcement efforts that are geared toward our licensees, the SIP-OP (serving intoxicated persons operation) and the CUB-OP (covert underage buyer operation). For many years SBI has visited licensees and performed those operations in an attempt to stop over serving of alcoholic beverages and to stop the sale of alcoholic beverages to minors. The State Bureau of Investigation met with staff from the DABC and members of the Utah Hospitality Association in March of this year to try and put together a training that would help private clubs and other licensees successfully pass these two enforcement efforts. This training session consists of a detailed explanation of both the SIP-OP and CUB-OP and is available for all licensees.

The goals of the training are: to give attendees knowledge of the state laws and DABC rules that regulate the sale and supply of alcohol in Utah; to help attendees understand why their business is being investigated and what will happen if they are referred to the DABC for a violation; and to give attendees a base knowledge of what the signs of intoxication are.

The training starts with class members being

***Many licensees have taken advantage of this free training and are implementing procedures that are helping them identify problems before they become an issue.***

introduced to volunteers that will later be served alcoholic beverages in a controlled environment to a point that the volunteers become intoxicated. The volunteers are allowed to consume alcoholic beverages from about 10:00 A.M. until around 1:00 P.M.

After the classroom segment of training is completed, the attendees are then reunited with the volunteers to observe the changes in behavior that have taken place along with the other signs of intoxication that are evident. Training is designed to call attention to the signs of intoxication. It is not centered around the .08 BAC (blood alcohol content).

Many of our licensees have already taken advantage of this free training and are implementing policies and procedures that are helping them identify problems before they become an issue. The training also includes a list of changes that have been made in some of the private clubs to help stop the problem of

serving intoxicated

persons.

It's not often that a law enforcement agency will take the time to explain the way they go about enforcing certain laws let alone explain how you can avoid failing the enforcement effort. It is strongly

suggested that you take advantage of this training while it is available because the enforcement of these laws will continue.

The next scheduled classes will be on September 4<sup>th</sup> and 5<sup>th</sup>, 2003. Seating is limited so please contact your Compliance Officer or Tom Zdunich at the DABC if you and your staff would like to attend. There is no charge for the class.É

## Liquor Law Training by The Compliance Division

by Abe Kader

The DABC's licensing and compliance division offers **free** training to all licensees and their employees.

This training is available to licensees to help them better understand the alcoholic beverage laws, to help prevent violations, and to provide better and consistent service to patrons. It gives licensees and employees the opportunity for a one-on-one session with the DABC to deal with their specific

***This training gives licensees and employees the opportunity for a one-on-one session with the DABC to deal with their specific questions and concerns.***

questions and concerns. Last year, our compliance staff conducted 1290 on-premise visits with DABC licensees where individualized training was done. In addition, we conducted 57 formal group training sessions for licensees, law enforcement officials, and local licensing officials for a total of 1122 attendees. Compliance training is available for any of the different types of outlets licensed by the state including the new on-premise

banquet license and the limited restaurant license. We will tailor our training to fit your needs and schedule. If you are interested in having one of our Compliance Specialists

## We've been Asked...

by Neil Cohen and Earl Dorius

Whenever there are new changes to the liquor laws, we invariably get questions from licensees that stretch the limits of the intent of the laws. Some of the questions have a common theme that can be paraphrased as, "How much alcohol can we serve someone?"

Utah's liquor laws are written under a philosophy of responsible moderation. In drafting the liquor laws, the legislature believes that moderation can best be achieved by neither promoting nor encouraging the consumption of alcohol. The department of Alcoholic Beverage Control (DABC) is charged with the responsibility of conducting, licensing and regulating the sale of alcohol beverages in support of that philosophy. DABC rules and policies exist that further enhance the efforts to reduce over consumption, intoxication, and the abuse of alcohol.

With that in mind, the DABC is aware that licensees are in the business to sell alcohol. However, licensees have an overriding duty to sell alcoholic beverages in a responsible manner. This duty is backed up by laws that require owners, managers, and servers of alcohol to pass a seminar every three years that teaches techniques of responsible service of alcohol, how to prevent intoxication, and to keep patrons on the safe side of social drinking. Laws also carry severe penalties for causing the intoxication of patrons, or serving an intoxicated person, or serving alcohol to a minor.

The following are questions that we have been asked by licensees:

### 1. May a DABC licensee that is authorized to serve beer, serve a pitcher of beer for consumption by only one person?

**Answer:** Based on Utah's philosophy of responsible moderation, the real answer to this question is another question: "should you serve a pitcher of beer to one person?". The answer to that question can only be answered by the licensee on a case by case basis.

The law states that a licensee *may* serve beer in a container no larger than two liters. See 32A-10-206(1). The statute provides no further details and applies to any licensee or permittee authorized to sell beer. That means that a pitcher that does not exceed two liters is the largest size that may be served to a patron. The law does not say to how many patrons. It is up to the licensee, in its duty to serve alcohol in a responsible manner, to make the determination as to whether to serve a pitcher to one, two, three, or more persons.

present a training session to your staff, please call at (801) 977-6800.Ē

However, the practice of serving pitchers to a single patron may reduce the level of control and may result in the over-service of alcohol to an individual. Indeed, some licensees have discontinued the service of beer in pitchers because of this potential problem.

### 2. May a DABC licensee that is authorized to serve liquor and beer serve a shot or mixed drink with a pitcher of beer for consumption by only one person?

**Answer:** This question only applies to clubs and full service restaurants. In those facilities one person may have no more than two alcoholic beverages before him/her at a time. The answer to this question incorporates the answer to question number one above. Based on that answer, a server *could* serve a pitcher that does not exceed two liters as one of the two beverages, but the real answer is whether the server *should*. And that responsibility rests solely with the licensee.

### 3. May a DABC licensee that is authorized to serve liquor and beer serve a shot or mixed drink with a stein of beer for consumption by one person?

**Answer:** Since a stein of beer is an alcoholic beverage and does not exceed two liters, the answer is the same as for question number 2.

### 4. May a DABC licensee that is authorized to serve liquor serve two different primary liquors in one drink, such as Kahlua & Vodka for a White Russian, or a Peach Schnapps & Vodka for a Sex on the Beach?

**Answer:** Each drink may have only one primary liquor. The primary liquor may not exceed one ounce. A secondary liquor (also known as flavoring liquor) may be added to a drink that contains a primary liquor, but the secondary liquor portion size must be *less* than the primary liquor portion size. The total amount of primary and flavoring liquors in one drink may not be more than 2.75 ounces.

### 5. May a private club or tavern serve more than one drink per person at last call?

**Answer:** First of all, "more than one drink" actually means "two drinks" since that is the limit anyway. The answer depends on how difficult the licensee wants to make things for itself at last call.

The law says that after sales cease (1 a.m. at the latest), a patron of a club may remain on the premises one additional hour to finish consuming a single spirituous drink, a single five ounce glass of wine, a single serving of heavy beer (up to 1 liter), or a single serving of beer (up to 25 ounces). See 32A-5-107(28)(c). A patron of a tavern may

remain to finish consuming a single beer (up to 25 ounces). See 32A-10-206(4)(c).

So if a patron asks for more than one drink at last call, the licensee has to decide two things; 1) whether the patron *should* be served more than one drink, and 2) if the patron *is* served more than one drink, the licensee has to

make sure that after 1 a.m., the patron only has only one single drink to finish. This could be very difficult for the licensee, especially if it is very busy at last call. An easier way to manage last call is to serve a single drink at last call. *Continued on the next page*

### We've Been Asked...

*Continued from the previous page*

#### 6. May a club or tavern serve a pitcher at last call for consumption by one person?

**Answer:** A pitcher is usually 64 ounces. The single drink size portion of beer for a patron to finish in the one hour time period after last call is 25 ounces. So the answer to this question is a combination of the answer to number 1 and number 5 above.

#### 7. May a club serve a patron a drink with a side-car at last call?

**Answer:** See answer to question 5.

#### 8. May a club serve a patron a drink or shot (1 oz.) with a stein at last call?

**Answer:** Assuming the portion size of the stein is up to 25 ounces, the answer would be the same as question 5.

#### 9. May a club serve a patron a drink or shot (1 oz.) with a pitcher at last call?

**Answer:** See answer to question 1, 5 and 6.Ē

## The Alcoholic Server Training Seminar Requirement

**E**very individual who is employed by an on-premise licensed establishment to:

- (a) sell or furnish alcoholic beverages to consumers for consumption on the premises, or
  - (b) manage or supervise the service of alcoholic beverages;
- must complete an Alcohol Server Training and Education Seminar.

The subjects taught in the seminar include:

- Alcohol as a drug and its effects on the body and behavior.
- Recognition of the problem drinker.
- An overview of state alcohol laws.
- Dealing with problem customers.
- Discussing alternative means of transportation for

customers who need help safely arriving at home.

Alcohol servers, managers, and supervisors must take and pass the seminar every three years.

Persons holding an ownership interest in an on-premise licensed establishment must also take the seminar if they perform duties as a manager, supervisor, or server.

Managers, supervisors, and servers must complete the training within 30 days of commencing employment.

The programs are authorized and approved by the Division of Substance Abuse (DSA) within the Department of Human Services (phone: 801-538-3939 or on-line at [http://www.utahdsa.com/alcohol\\_server\\_training.htm](http://www.utahdsa.com/alcohol_server_training.htm)). Individual trainers are certified by each of the programs.Ē

## Read The Compliance Connection On-Line

**T**he DABC website contains a page where you can read and/or download copies of the current and past issues of *The Compliance Connection*. The website is [www.abc.utah.gov](http://www.abc.utah.gov). The direct address to the newsletter page is: [http://www.abc.utah.gov/license\\_permit/newsletter\\_main.htm](http://www.abc.utah.gov/license_permit/newsletter_main.htm)

Another way to access the page is to "mouse over" to "Licenses and Permits" in the lower left hand side of the home page. Select "Compliance Connection Newsletter" from the menu that appears. This will take you to the Compliance Connection Newsletter page and you may select the issue that you would like to read. There is also a link to download the Adobe Acrobat Reader which you will need to view the newsletters.Ē

The Alcoholic Beverage Control Commission usually meets on the fourth Friday of each month. Meeting dates and times are subject to change. Please call 801-977-6800 for the meeting schedule.

The meetings are open to the public and are held in the board room at the DABC administrative office building: 1625 South 900 West, Salt Lake City. All interested persons are welcome to attend.

## Alcohol Server Training Programs

Approved by the Division of Substance Abuse

BARCODE \*\*\*\*\*Spanish and English (Statewide)

9494 S Prosperity Rd

West Jordan Ut 84088

801-563-6300

Local contact: Toni Jorgensen, Sysco Intermountain

THE DIXIE PROGRAM AT DIXIE COLLEGE

(435) 652-7515

Don Reid

LEARN2SERVE On-Line Training

[www.learn2serve.com](http://www.learn2serve.com)

Corporate Headquarters

200 Academy Dr. Ste 260

Austin Tx 78704

contacts: Albert J. Lilly

Rhiannon McElroy

800-442-1149

fax 512-441-1811

[albert@360training.com](mailto:albert@360training.com)

[rhiannon@360training.com](mailto:rhiannon@360training.com)

Service Industries, Inc. (Serves Wasatch Front)

3438 Buck Circle

SLC UT 84121

(801) 942-0742

Contact: Lou Bertram

The SMART Program (Statewide)

PO Box 71115

SLC UT 84171

(801) 265-9435

Cell 801-915-8609

Contact: Jerry Diana

[www.smart-utah.com](http://www.smart-utah.com)

The TIPS Program (Statewide\*)

Health Communications, Inc.

1101 Wilson Blvd, STE 1700

Arlington VA 22209

1-800-GET-TIPS

[www.gettips.com](http://www.gettips.com)

SUU Southern Utah University

(Iron, Beaver, Garfield, Kane and Washington)

SUU-351 W Center St

Cedar City UT 84720

435-586-7988

Contact: Danny Shakespear

## New Rules for Liquor Order and Return Procedures

On-line ordering has been available for liquor licensees since the Spring of 2001. If you need information about on-line ordering or would like to open an on-line ordering account please call Stores and Agencies support at (801) 977-6825. For licensees who do not order on-line, the commission has recently passed new rules governing liquor ordering and return procedures as stated below.

The following procedures shall be followed when a liquor licensee orders liquor from or returns liquor to any state liquor store, package agency, or department satellite warehouse:

(1) The licensee must place the order in advance to allow department personnel sufficient time to assemble the order. The licensee or employees of the licensee may not pick merchandise directly off the shelves of a state store or package agency to fill the licensee's order. The order shall include the business name of the licensee, department licensee number, and list the products ordered specifying each product by code number and quantity.

(2) The licensee shall allow at least four hours for department personnel to assemble the order for pick-up. When the order is complete, the licensee will be notified by phone and given the total cost of the order. The licensee may pay for the product in cash, company check or cashier's check.

(3) The licensee or the licensee's designee shall examine and sign for the order before it leaves the store, agency or satellite warehouse to verify that the product has been received.

(4) Merchandise shall be supplied to the licensee on request when it is available on a first come first serve basis. Discounted items and limited items may, at the discretion of the department, be provided to a licensee on an allocated basis.

(5)(a) Spirituous liquor may be returned by the licensee for the original purchase price only under the following conditions:

- (i) the bottle has not been opened;
- (ii) the seal remains intact;
- (iii) the label remains intact; and
- (iv) upon a showing of the original cash register receipt.

(b) A restocking fee of 10% shall be assessed on the entire amount on any returned spirituous liquor order that exceeds \$1,000. All spirituous liquor returned that is based on a single purchase on a single cash register receipt must be returned at the same time at a single store, package agency, or satellite warehouse

location.

(b) Wine and beer may not be returned by the licensee for the original purchase price except upon a showing that the product was spoiled or non-consumable. E

## Violations and Penalties

by Chris Johnson

**B**elow, and continued on the following pages, are the most recent violations and penalties assessed. Please review the violations listed below with your staff to prevent similar violations from occurring in your own establishment. As you can see by the number of alcohol violations listed, law enforcement agencies have been very active. PLEASE BE CAREFUL!!

AL = Airport Lounge    BE = On-premise Beer    BR = Brewer / Importer    BW = Beer Wholesaler    CL = Private Club Liquor

RE = Restaurant Liquor    MR = Manufacturer Representative    \* = Prior Violation History    > = Taken to formal hearing

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Burt's Tiki Club, Salt Lake and Anthony M Perry and Morgan L Phillips (employees)	1. Sale to minors 2. Non-member entry & sale 3. No ID badges	1. 6 day suspension 2. Fine of \$250.00 3. Written warning
RE	China Lily, Sandy and Mariah J Clark (employee)	1. Free-pouring 2. Serving more than 1 ounce primary liquor at a time 3. Under age server 4. Untrained server 5. Selling A/B before hours 6. No warning sign posted	1 & 2. 6 day suspension 3 & 4. 6 day suspension 5. Fine of \$200.00 6. Written warning
RE	Claim Jumper, Heber and Jamie E Buehler (employee)	1. Sale to minors 2. No ID badge 3. Untrained server	1. 6 day suspension 2. Written warning 3. Fine of \$250.00
CL	Club Expose, Salt Lake	1. Non-member entry & sale	1. Written warning
CL	Hideaway Club, Salt Lake and Christopher Haas and Roxanne Landreneaux (employees)	1. Employees consuming on duty	1. 5 day suspension
BE	Juhl Haus Deli & Market, Salt Lake and Robert J Gardner (employee)	1. Sale to minors	1. 5 day suspension
RE	Lone Star Steakhouse, Centerville and Janette Nelson (employee)	1. Open bottles not properly labeled 2. Free-pouring 3. Unlocked storage 4. No ID badge 5. No license displayed 6. No Warning sign displayed	1. Fine of \$150.00 2. 6 day suspension 3. Fine of \$150.00 4. Written warning 5. Written warning 6. Written warning
CL	Mother Urban's Ratskeller, Park City and Haven R Daly (employee)	1. Sale to minors	1. 10 day suspension
BE	Oaks, A Casual Eatery, Ogden and Patrick Stratford (employee)	1. Sale to minors	1. 5 day suspension
RE	Outback Steakhouse, Sandy and Jeff Boyd (employee)	1. Free-pouring 2. Allowing patrons to consume away from the table 3. Warning sign not displayed 4. License not displayed	1. 6 day suspension 2. Fine of \$200.00 3. Dismissed 4. Dismissed
RE	Panda Restaurant, Salt Lake and Zhong Xin Li (employee)	1. Sale to minors	1. 5 day suspension



License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Port O" Call, Salt Lake and Kimberly Schenger and Abby Hill (employees)	2 cases Case #1 1. Non-member entry & sale Case #2 1. Sale to intoxicated 2. Non-member entry & sale	Merged count 1 of both cases 1. Fine of \$350.00 2. Handled separately
BE	Roosevelt Commercial Club and Ron Butcher and Debbie Butcher (employees)	1. Sale to intoxicated 2. Employees consuming on duty	1. 10 day suspension 2. Dismissed
RE	Sampan Restaurant, Salt Lake and Wunan Dong (employee)	1. Sale to minors 2. Untrained server	1. 6 day suspension 2. Fine of \$300.00
BE	Trolley Wing Co., Salt Lake and Justin C Prettyman (employee)	1. Sale to minors	1. Fine of \$3,000.00
BE	Wagon Wheel, Grantsville	1. Allowing patrons to serve themselves 2. Employee consuming on duty 3. No ID badge	1. 11 day suspension 2. 6 day suspension 3. Written warning
CL	Zanzibar, Salt Lake and Tennille Petty (employee)	1. Sale to minors 2. Non-member entry & sale 3. No ID badge 4. No warning sign displayed	1. 6 day suspension 2. Fine of \$250.00 3. Written warning 4. Written warning
BE	B & D Burgers, Salt Lake and Sarah Leiker and Aram Nasr (employees)	1. Sale to minors 2. Minors selling to minors	1. Surrendered license
CL	Beaver Creek Inn, Kamas and Vicki Martinez (employee)	1. Sale to minors 2. Free-pouring 3. Non-member entry & sale	1. 7 day suspension 2. 6 day suspension 3. Fine of \$500.00
CL	Club Vegas, Salt Lake and Luke J Battiloro and Richard N Kagel (employees)	1. Sale to minors 2. Non-member entry & sale	1. 6 day suspension 2. Fine of \$250.00
RE	Daniels Summit Lodge, Heber and Randi M Jones (employee)	1. Sale to minors	1. 5 day suspension
BE	Hunan Garden Restaurant, Salt Lake	1. Sale to minors 2. No ID badge	1. 6 day suspension 2. Written warning
BE	Lone Star Saloon, West Valley and Marcia Gines (employee)	1. Sale to minors 2. Minors on the premises of a tavern	1 & 2. 6 day suspension
CL	Shaggy's Livin Room, Salt Lake	1. Non-member entry & sale 2. No ID badge	1. Fine of \$250.00 2. Written warning
RE	Sizzler, Salt Lake and Michelle Burwell, Brad Nelson and Jerolene Madrid (employee)	1. Selling A/B before hours	1. Written warning
BE	Stoddard Inn, Morgan and Collette M Wilkinson (employee)	1. Sale to minors	1. 5 day suspension
CL	Suede, Park City and Benjamin C Jones (employee)	1. Sale to minors 2. Non-member entry & sale 3. Untrained server 4. No license displayed 5. No warning sign displayed	1. 6 day suspension 2. Fine of \$250.00 3. Fine of \$250.00 4. Written warning 5. Written warning
CL	Uncle Bart's, Salt Lake and Kenneth P Dewar and Jesse L Garcia (employees)	1. Sale to minors	1. Fine of \$3,000.00
BE	Acapulco Club, Ogden and Martin Croft (employee)	1. Sale to minors 2. Minors on the premises of a tavern	1 & 2. 6 day suspension

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Area 51, Salt Lake	2 cases Case #1 1. Non-member entry & sale 2. 2. Sale to minors Case #2 Non-member entry & sale	Case #1 1. Fine of \$250.00 2. 6 day suspension Case #2 1. Fine of \$500.00
RE	Blue Boar Inn, Midway and Tracie R Dunn (employee)	1. Sale to minors 2. No warning sign displayed	1. 5 day suspension 2. Dismissed
CL	Bourbon Street Bar & Grill, Salt Lake and Ashley McKinney (employee)	1. Free-pouring 2. Non-member entry & sale	1. 5 day suspension 2. Fine of \$250.00
RE	Chili's, Salt Lake	1. Allowing customers to leave with open containers	1. Fine of \$3,000.00
BE	Eastern Winds, Ogden	1. No license displayed 2. No warning sign displayed	1. Fine of \$100.00 2. Dismissed
BE	Galley, Salt Lake and Steve McClellan (employee)	1. Sale to minors	1. 5 day suspension
CL	La Sabre, American Fork and Lisa Brown, Peggy Chavez and Dwight Fisher (employees)	1. Sale to intoxicated 2. Non-member entry & sale	1. 20 day suspension 2. Fine of \$350.00
CL	Nightscape, Salt Lake	1. Non-member entry & sale	1. Fine of \$250.00
RE	Orbit Café, Salt Lake and Elizabeth Quist (employee)	1. Sale of A/B not in connection with an order for food	1. Written warning
BE	Timpanogos Tavern, Heber and Raymond A Carter (employee)	1. Sale to minors 2. Minors on the premises of a tavern	1 & 2. 6 day suspension
CL	Xscape, Salt Lake and Jenny Bloomquist (employee)	1. Sale to minors 2. Non-member entry & sale	1. surrendered license
BE	Andy's Place, Salt Lake and Bryce Margardt (employee)	1. Sale to minors 2. Minors on the premises of a tavern	1 & 2. 10 day suspension and a fine of \$1,000.00
CL	Club Axis, Salt Lake	1. Improper club advertising	1. Written warning
CL	El Farallon, Salt Lake	1. Non-member entry & sale	1. Written warning
CL	Fifth, Bountiful	1. Allowing patrons to serve themselves 2. Free-pouring 3. Non-member entry & sale 4. No ID badge	1. 12 day suspension 2. 6 day suspension 3. Fine of \$250.00 4. Written warning
RE	Grand America Hotel, Salt Lake	1. Brownbagging	1. Fine of \$500.00
BE	Little America Hotel, Salt Lake	1. Allowing patrons to leave with open containers 2. No warning sign displayed	1. 5 day suspension 2. Written warning
CL	Molly Greens Pub, Brighton	1. Free-pouring 2. no ID badge	1. 5 day suspension 2. Written warning
RE	Plum @ Embassy Suites, Salt Lake and Scott Wales (employee)	1. Free-pouring 2. License not displayed 3. Warning sign not displayed	1. 5 day suspension 2. Written warning 3. Written warning
CL	River Club, Green River and Leonard A Nord (employee)	1. Sale to intoxicated	1. 10 day suspension
RE	Squatter's Pub, Salt Lake and Edith Bernett (employee)	1. Free-pouring 2. Selling beer in excess of 2 liters	1. 6 day suspension 2. Fine of \$150.00
CL	Trapp Door, Salt Lake and Randy Bodle (employee)	1. Sale to minors 2. Non-member entry & sale	1. 6 day suspension 2. Fine of \$250.00

License Type	Name of Establishment	Description of Violation(s)	Penalty Assessed
CL	Wasatch Club East, Salt Lake	<ol style="list-style-type: none"> <li>1. Allowing patrons to leave with open containers</li> <li>2. Brownbagging</li> <li>3. Non-member entry &amp; sale</li> <li>4. License not displayed</li> <li>5. No ID badge</li> </ol>	<ol style="list-style-type: none"> <li>1. 6 day suspension</li> <li>2. Fine of \$500.00</li> <li>3. Fine of \$350.00</li> <li>4. Written warning</li> <li>5. Written warning</li> </ol>



## Licensing Activity

by Chris Johnson

### NEWLY LICENSED ESTABLISHMENTS

April, May & June

#### RESTAURANTS (9)

Boulevard, Holladay  
 Buca Di Beppo, Salt Lake  
 Double Black Diamond, Brian Head  
 Em's Restaurant, Salt Lake  
 Ernesto's, St. George  
 Fiore, Park City  
 Joe's Crab Shack, Orem  
 Silver City Diner, Park City  
 Town Lift Café, Park City

#### LIMITED RESTAURANTS (60)

Arches Dining, Moab  
 Arrowhead Inn, Mt. Carmel  
 Atlantic Café, Salt Lake  
 Bombay House, Provo  
 Bombay House, Salt Lake  
 Broken Thumb, Park City  
 Café Sha Sha, Salt Lake  
 Cannella's, Salt Lake  
 Canyon Breeze, Ivins  
 Cedar Springs Marina, Dutch John  
 China Tea Garden, Park City  
 Chris's, Huntsville  
 Cow Canyon, Bluff  
 Dodo, Salt Lake  
 E Jo Restaurant, So. Salt Lake  
 El Chalan, Salt Lake  
 Gepetto's, Salt Lake  
 Gia's Restaurant, Logan  
 Grandma Tina's, Panguitch  
 Heartland Café, Cedar City  
 Jackson Fork Inn, Huntsville  
 Jumbo Buffet, Midvale  
 Mimi's Café, Orem  
 New Ho Ho, Salt Lake  
 No Worries Café, Park City  
 Old Spaghetti Factory, Orem  
 Osaka, Layton  
 Padre's, So. Salt Lake  
 Pagoda, Salt Lake  
 Pantheon Café, Harrisville  
 Perkins, Café, Salt Lake  
 Pinewoods Resort, Duck Creek Village  
 Ranch House, Moab  
 Red Cliff, Torrey  
 Red Pine Café, Park City  
 Roma Ristorante, Salt Lake  
 Royal India, Sandy  
 Salt Creek Steakhouse, Nephi  
 Sampan Chinese, Sandy  
 Sampan Restaurant, Salt Lake  
 Sampan Restaurant, West Jordan  
 Singing Cricket, Salt Lake  
 Sizzler, Logan

Sizzler, Ogden  
 Sizzler, Salt Lake  
 Sizzler, Sandy  
 Sizzler, West Valley  
 Smitty's Restaurant, Moab  
 Smoky Mountain Pizza & Pasta, Sandy  
 Smoky's Smokehouse, Park City  
 Taggart's, Morgan  
 Tepanyaki, Clearfield  
 Teru Sushi, Salt Lake  
 Three Peaks Grille, Eagle Mountain  
 Tio's Mexican Restaurant, Salt Lake  
 Urban Bistro, Salt Lake  
 Windy Ridge Café, Park City  
 Wonderland Inn, Torrey  
 Zinn Bistro, Salt Lake  
 Zion Pizza & Noodle, Springdale

#### PRIVATE CLUBS (19)

Banana Joe's, Salt Lake  
 Black Bull Bar & Grill, West Valley  
 Cedar Breaks Club, Brian Head  
 Club Bourbon, Salt Lake  
 Club DV8, Salt Lake  
 Club Halo, Salt Lake  
 Cruzr's Saloon, Salt Lake  
 El Farallon, Salt Lake  
 El Mirador, Ogden  
 Elks # 2344, Murray  
 Elks #1550, Price  
 Filling Station, Magna  
 Lumpy's, Salt Lake  
 Naked, Salt Lake  
 New Cassidy's Club, Vernal  
 On the Rocks, West Valley  
 Park Meadows Country Club, Park City  
 Riverhorse on the Green, Park City  
 Tracks Pub, Tooele

#### ON-PREMISE BEER (22)

Amphitheatre, West Valley  
 Barbacoa Mexican Grill, Salt Lake  
 Ben Lomond G.C., Ogden  
 Ben's Café, Moab  
 Cilantro's, Midvale  
 Cultural Center, West Valley  
 Dinosaur Brew Haus, Vernal  
 El Paisa, Salt Lake  
 El Pico de Orizaba, Ogden  
 Guadalupana Mexican Buffet, Midvale  
 Marisqueria Puro Mazalatan, Ogden  
 Mi Ranchito Grill, Sandy  
 New East Sea, West Valley  
 Nuveo Vallarta, West Valley  
 Oscar's Deli, Springdale  
 Other Choice, Tooele  
 Ozzie's Roadhouse, Tremonton  
 Pizza Hut, Salt Lake  
 River Oaks G.C., Sandy  
 Sports Addiction, Ogden  
 The Ranches G.C., Eagle Mountain  
 Trolley Wing Co., Salt Lake

#### LICENSES AVAILABLE

(as of July, 2003)

Full Service Restaurants = 38<sup>\*</sup>  
<sup>\*</sup> Full service quota decreases by 54 licenses on 11/1/03  
 Limited Restaurants = 123  
 Private Clubs = 20  
 On-premise Beer = no quota  
 Taverns = 14  
 On-premise Banquet = 79

#### LICENSES RELINQUISHED

April, May & June

#### RESTAURANTS (37)

Arches Dining, Moab  
 Aspen Grill, Brigham City  
 Bombay House, Provo  
 Bombay House, Salt Lake  
 Broken Thumb, Park City  
 Clyde's Pizzeria, Park City  
 Cow Canyon, Bluff  
 Curry Manor, Vernal  
 Dodo, Salt Lake  
 Double Black Diamond, Brian Head  
 Dynamite Dom's, Park City  
 El Chalan, Salt Lake  
 Gia's, Logan  
 Grandma Tina's, Panguitch  
 Heartland Café, Cedar City  
 Jackson Fork Inn, Huntsville  
 KarenJane Restaurant, Salt Lake  
 New Ho Ho, Salt Lake  
 No Worries Café, Park City  
 Osaka, Layton  
 Pagoda, Salt Lake  
 Perkins Café, Salt Lake  
 Picasso, Park City  
 Ranch House, Moab  
 Red Cliff Restaurant, Torrey  
 Roma Ristorante, Salt Lake  
 Royal India, Salt Lake  
 Salt Creek Steakhouse, Nephi  
 Sizzler, Logan  
 Sizzler, Ogden  
 Sizzler, Salt Lake  
 Sizzler, Sandy  
 Sizzler, West Valley  
 Smitty's, Moab  
 Texas Red's, Park City  
 Windy Ridge Café, Park City  
 Wonderland Inn, Torrey

#### PRIVATE CLUBS (27)

Age of Aquarius, Salt Lake  
 AJ's Place, Roosevelt  
 American Legion 132, Kearns  
 Banana Joe's, Salt Lake  
 Beatnik's, Ogden  
 Bourbon Street Bar & Grille, Salt Lake  
 Club Gravity, Salt Lake  
 Club Naked, Salt Lake

Club Wayfarer, Murray  
 Conversations, Salt Lake  
 Cruzrs Saloon, Salt Lake  
 Doc Henry's, Salt Lake  
 Eagles 3777, Midway  
 Filling Station, Magna  
 Frankie's, Price  
 Getty's, Salt Lake  
 Las Palmas, Ogden  
 Lumpy's, Salt Lake  
 Miners Pub, Salt Lake  
 Natalie's, Salt Lake  
 Pinnacle Breaks, Brian Head  
 Pop's Place, Salt Lake  
 Porter Rockwell's, Salt Lake  
 Ram's Horn, Duck Creek  
 Shula's No Name Lounge, Salt Lake  
 Xscape, Salt Lake  
 Ya' But's, Salt Lake

**ON PREMISE BEER (21)**  
 Atlantic Café & Market, Salt Lake  
 B & D Burgers, Salt Lake  
 Black Bull Bar & Grill, West Valley  
 Canyon Breeze,  
 Cedar Springs Marina, Dutch John  
*Continued on the next page*

**Licensing Activity**  
*Continued from the previous page*

Chris', Huntsville  
 Ernesto's, St. George  
 Joe's Crab Shack, Orem  
 Lone Star Saloon, West Valley  
 Montana Pub & Café, Park City  
 Old Spaghetti Factory, Orem  
 Pantheon Café, Harrisville  
 Pinewoods Inn, Duck Creek  
 Sampan Chinese Cuisine, Sandy

Sampan II, West Jordan  
 Sampan Restaurant, Salt Lake  
 Smoky Mountain Pizza & Pasta, Sandy  
 Taggart's, Morgan  
 Tepanyaki, Clearfield  
 Teru Sushi, Salt Lake  
 Town Lift Café, Park City

**Private Club Renewals**  
 Renewals (mailed) = 320  
 Non-renewals = 18

**Current number of licensees**

Full Service Restaurant =	491
Limited Restaurant =	59
Private Clubs =	320
On-premise Beer =	345
Tavern =	91
Total =	1306

## What's Going On Out There?

By John Bryant

Recent changes to Utah's liquor laws included a requirement that private clubs and taverns remain open an extra hour to allow patrons to finish their last drink after sales have ceased. The following news from England shows how other jurisdictions have tried to deal with the issue of patrons "slamming down" drinks at "last call". (Printed by permission from *State Capitals Newsletter*.)

### Britain Set to End 11PM Last Call for Alcohol

Britain's tradition-soaked pub culture is set to see its biggest change in decades, an easing of the nation's strict 11PM last call for alcohol, a government minister said Sunday. The long-debated licensing change to allow pubs, bars, restaurants and stores to sell alcohol later – and perhaps around the clock – is slated to be one of the first acts of Prime Minister Tony Blair's government if it wins a second term of office this summer, officials said.

While it may seem counterintuitive that keeping pubs open longer will minimize problems with drunkenness, the Home Office argues that the current limit encourages binge drinking before closing and causes chaotic crowds of revelers to spill into the streets all at once, straining nighttime law enforcement. "Our proposals will deal with the antiquated and bureaucratic licensing system and modernize it," Home Office Minister Mike O'Brien said. "They will give business greater freedom, protect local residents, help the police deal with law and order and give the public more opportunities to socialize."

Blair's chief political rival, the Conservative Party, decried the announcement as a cheap attempt to grab votes ahead of the

national

election, planned for early June. "How typical and opportunistic of Labor to revisit this in the run-up to the election," said Ann Widdecombe, a senior Conservative lawmaker. Blair's Labor Party holds a commanding lead over the Conservatives, according to independent polls, and is widely expected to win re-election.

Proposals examined by a recent Home Office report on licensing include staggering closings from 11PM until the early morning hours, or lifting national restrictions altogether and allowing local communities to determine closing times. "Longer hours generally should promote a more gradual drift from licensed premises as customers make for home, and end the unnaturally early race to drink as much as possible before closing time, when many are not yet ready to go," the report said.

A spokesman for the Brewers and Licensed Retailers Association applauded the announcement, saying that the current closing time – one of the earliest in Western Europe – treats Britons "like children." At last we are bringing Britain's licensing regime into the 21<sup>st</sup> century," Mark Hastings said. "Rather than being treated like children, we are going to be allowed to make these decisions ourselves."





**THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**  
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