

RESOLUTION OF THE CITY COUNCIL

No. 220

Approved March 6, 2018

WHEREAS, Establishments wishing to operate as nightclubs in Providence must apply for a Class N license allowing them to operate until two o'clock (2:00) a.m. with entertainment and alcohol sales; and

WHEREAS, Certain establishments have forgone the process of obtaining a Class N license by hiring a catering company with a Class P license that allows alcohol sales at any time for no longer than a five hour period, circumventing the rules, fees, and restrictions put forth by the Class N License; and

WHEREAS, Circumvention of this process demonstrates a lack of respect for the system put in place by the City of Providence to ensure business establishments operate within the laws of the City and are considering public safety in their operations; and

WHEREAS, The loophole also provides an unfair advantage to establishments utilizing it in comparison to establishments that follow the process of obtaining a Class N license from the City; and

WHEREAS, On February 7, 2018, Rhode Island Representatives Ajello (D), O'Grady (D), Blazejewski (D), Shanley (D), and Ranglin-Vassell (D) introduced HB 7479; and

WHEREAS, On February 15, 2018, Rhode Island Senators Goldin (D) and Quezada (D) introduced SB 2483 and;

WHEREAS, Passage of these bills would amend Rhode Island General Laws Section 3-7-14.2 to prohibit alcohol sales by a caterer with a Class P license between the times of one o'clock (1:00) a.m. and six o'clock (6:00) a.m., closing the loophole currently present; and

WHEREAS, As public servants and the elected representatives of the people of Providence, the City Council has an obligation to ensure public safety and ensure that business establishments operate within the confines of the laws of the City.

NOW, THEREFORE, BE IT RESOLVED, That the Providence City Council strongly supports Rhode Island House Bill 7479 and Senate Bill 2483 to amend RIGL Section 3-7-14.2 to prohibit alcohol sales by a caterer between one o'clock (1:00) a.m. and six o'clock (6:00) a.m.

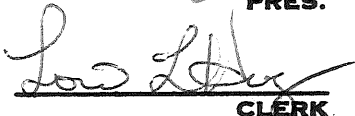
BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the elected Rhode Island House and Senate representatives of the City of Providence.

IN CITY COUNCIL

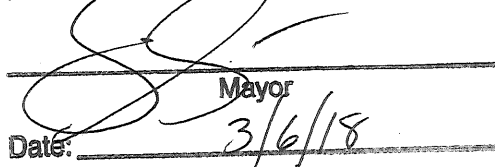
MAR 01 2018

READ AND PASSED


PRES.


CLERK

I HEREBY APPROVE


Mayor
Date: 3/6/18

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Introduced By: Representatives Ajello, O'Grady, Blazejewski, Shanley, and Ranglin-Vassell

Date Introduced: February 07, 2018

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-7-14.2 of the General Laws in Chapter 3-7 entitled "Retail
2 Licenses" is hereby amended to read as follows:

3 **3-7-14.2. Class P licenses -- Caterers.**

4 (a) A caterer licensed by the department of health and the division of taxation shall be
5 eligible to apply for a Class P license from the department of business regulation. The department
6 of business regulation is authorized to issue all caterers' licenses. The license will be valid
7 throughout this state as a state license and no further license will be required or tax imposed by
8 any city or town upon this alcoholic beverage privilege. Each caterer to which the license is
9 issued shall pay to the department of business regulation an annual fee of five hundred dollars
10 (\$500) for the license, and one dollar (\$1.00) for each duplicate of the license, which fees are paid
11 into the state treasury. The department is authorized to promulgate rules and regulations for
12 implementation of this license. In promulgating said rules, the department shall include, but is not
13 limited to, the following standards:

- 14 (1) Proper identification will be required for individuals who look thirty (30) years old or
15 younger and who are ordering alcoholic beverages;
- 16 (2) Only valid ID's as defined by these titles are acceptable;
- 17 (3) An individual may not be served more than two (2) drinks at a time;
- 18 (4) Licensee's, their agents, or employees will not serve visibly intoxicated individuals;
- 19 (5) Licensee's may only serve alcoholic beverages for no more than a five (5) hour period

1 per event; provided that no alcoholic beverage is sold or served after one o'clock (1:00) a.m. nor
2 before six o'clock (6:00) a.m.; and provided further, that a licensee may serve until two o'clock
3 (2:00) a.m. upon application and approval of the appropriate licensing authority, including the
4 city or town council or board or bureau of licenses, of the municipality where the event shall take
5 place. The local city or town council or board or bureau of licenses shall have the sole discretion
6 of whether to extend the time for sale or service of alcoholic beverages;

7 (6) Only a licensee, or its employees, may serve alcoholic beverages at the event;

8 (7) The licensee will deliver and remove alcoholic beverages to the event; and

9 (8) No shots or triple alcoholic drinks will be served.

10 (b) Any bartender employed by the licensee shall be certified by a nationally recognized
11 alcohol beverage server training program.

12 (c) The licensee shall purchase at retail all alcoholic beverages from a licensed Class A
13 alcohol retail establishment located in the state, provided, however, any licensee who also holds a
14 Class ~~T~~ B license, issued pursuant to the provisions of § 3-7-7, shall be allowed to purchase
15 alcoholic beverages at wholesale. Any person violating this section shall be fined five hundred
16 dollars (\$500) for this violation and shall be subject to license revocation. The provisions of this
17 section shall be enforced in accordance with this title.

18 (d) Violation of subsection (a) of this section is punishable upon conviction by a fine of
19 not more than five hundred dollars (\$500) and/or a suspension or revocation of the Class P
20 license. Fines imposed under this section shall be paid to the department of business regulation.

21 SECTION 2. This act shall take effect upon passage.

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LC004176
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

- 1 This act would create additional restrictions on the times for which caterers with a Class
- 2 P license may serve alcohol and would provide for the additional penalty of possible suspension
- 3 or revocation of the Class P license for violations of this section.
- 4 This act would take effect upon passage.

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LC004176
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Introduced By: Senators Goldin, and Quezada

Date Introduced: February 15, 2018

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-7-14.2 of the General Laws in Chapter 3-7 entitled "Retail
2 Licenses" is hereby amended to read as follows:

3 **3-7-14.2. Class P licenses -- Caterers.**

4 (a) A caterer licensed by the department of health and the division of taxation shall be
5 eligible to apply for a Class P license from the department of business regulation. The department
6 of business regulation is authorized to issue all caterers' licenses. The license will be valid
7 throughout this state as a state license and no further license will be required or tax imposed by
8 any city or town upon this alcoholic beverage privilege. Each caterer to which the license is
9 issued shall pay to the department of business regulation an annual fee of five hundred dollars
10 (\$500) for the license, and one dollar (\$1.00) for each duplicate of the license, which fees are paid
11 into the state treasury. The department is authorized to promulgate rules and regulations for
12 implementation of this license. In promulgating said rules, the department shall include, but is not
13 limited to, the following standards:

14 (1) Proper identification will be required for individuals who look thirty (30) years old or
15 younger and who are ordering alcoholic beverages;

16 (2) Only valid ID's as defined by these titles are acceptable;

17 (3) An individual may not be served more than two (2) drinks at a time;

18 (4) Licensee's, their agents, or employees will not serve visibly intoxicated individuals;

19 (5) Licensee's may only serve alcoholic beverages for no more than a five (5) hour period

1 per event; provided that no alcoholic beverage is sold or served after one o'clock (1:00) a.m. not
2 before six o'clock (6:00) a.m.; and provided further, that a licensee may serve until two o'clock
3 (2:00) a.m. upon application and approval of the appropriate licensing authority, including the
4 city or town council or board or bureau of licenses, of the municipality where the event shall take
5 place. The local city or town council or board or bureau of licenses shall have the sole discretion
6 of whether to extend the time for sale or service of alcoholic beverages:

7 (6) Only a licensee, or its employees, may serve alcoholic beverages at the event;

8 (7) The licensee will deliver and remove alcoholic beverages to the event; and

9 (8) No shots or triple alcoholic drinks will be served.

10 (b) Any bartender employed by the licensee shall be certified by a nationally recognized
11 alcohol beverage server training program.

12 (c) The licensee shall purchase at retail all alcoholic beverages from a licensed Class A
13 alcohol retail establishment located in the state, provided, however, any licensee who also holds a
14 Class ~~T~~ B license, issued pursuant to the provisions of § 3-7-7, shall be allowed to purchase
15 alcoholic beverages at wholesale. Any person violating this section shall be fined five hundred
16 dollars (\$500) for this violation and shall be subject to license revocation. The provisions of this
17 section shall be enforced in accordance with this title.

18 (d) Violation of subsection (a) of this section is punishable upon conviction by a fine of
19 not more than five hundred dollars (\$500) and/or a suspension or revocation of the Class P
20 license. Fines imposed under this section shall be paid to the department of business regulation.

21 SECTION 2. This act shall take effect upon passage.

LC004221

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

- 1 This act would create additional restrictions on the times for which caterers with a Class
- 2 P license may serve alcohol and would provide for the additional penalty of possible suspension
- 3 or revocation of the Class P license for violations of this section.
- 4 This act would take effect upon passage.

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LC004221
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