

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2003-79

No. 820

AN ORDINANCE

AUTHORIZING THE CREATION OF A CLASS "N" RETAIL LIQUOR LICENSE

ORDINANCE
REMOVED TO COMMISSION ON
LEGAL MATTERS
IN CITY COUNCIL
CLERK

Approved December 22, 2003

Be it ordained by the City of Providence:

The Providence City Council hereby authorizes the Bureau of Licenses of the City of Providence to establish regulations, which must be submitted to the Council for approval prior to implementation, for the designation and issuance of a special class of Class N nightclub licenses within the City of Providence, as prescribed in R.I.G.L. Title 3, Section 3-7-16.6 "Class N nightclub license."

**IN CITY COUNCIL
NOV 6 2003
FIRST READING
READ AND PASSED**

Michael R. Clement
CLERK

**IN CITY
COUNCIL
DEC 18 2003
FINAL READING
READ AND PASSED**

[Signature]
PRESIDENT
Michael R. Clement
CLERK

ORDINANCE
REMOVED TO COMMISSION
ON LEGAL MATTERS
IN CITY COUNCIL
CLERK

APPROVED

[Signature]

DEC 22

MAYOR

NO
2003
ON

CHAPTER
AN ORDINANCE

IN CITY COUNCIL

READ AND PASSE
FIRST READING

IN CITY
COUNCIL

10
03

THIRD READING

CLERK

THE COMMITTEE ON
ORDINANCES

Approves Passage of
The Within Ordinance

Ann M. Stejskal
12-10-03 Clerk

IN CITY COUNCIL
SEP 18 2003
FIRST READING
REFERRED TO COMMITTEE ON
ORDINANCES
Michael R. Clement
CLERK

THE COMMITTEE ON
ORDINANCES
Approves Passage of
The Within Ordinance, *As Amended*
Ann M. Stejskal
10-9-03 Clerk

IN CITY COUNCIL
NOV 20 2003
~~FIRST READING~~ BACK
REFERRED TO COMMITTEE ON
ORDINANCES
Michael R. Clement CLERK

Councilman Aponte

TITLE 3

Alcoholic Beverages

CHAPTER 3-7

Retail Licenses

SECTION 3-7-16.6

§ 3-7-16.6 Class N nightclub license. – (a) Notwithstanding any provision of this title to the contrary, any town or city council, by ordinance, may authorize the licensing authorities designated as having the right, power, and jurisdiction to issue licenses under this title pursuant to § 3-5-15 to designate and issue a special class of Class N nightclub licenses within its jurisdiction.

(b) A Class N license, when so authorized, shall be required by each establishment within the jurisdiction which:

(1) Has as its primary source of revenue the sale of alcoholic beverages and/or cover charges;

(2) Holds a Class B or Class ED license;

(3) Has a fire department occupancy permit of no less than two hundred (200) persons and no greater than ten thousand (10,000) persons; or any establishment with a fire department occupancy permit of less than two hundred (200) persons that holds an entertainment license.

(c) Any establishment with a Class N license which admits patrons under twenty-one (21) years of age on the premises of the establishment when alcoholic beverages are being sold, served, or permitted on the premises shall, during the time the patrons are permitted on the premises:

(1) Require one form of identification. The identification shall contain the bearer's photograph, and must be one of the following: state driver's license, US military identification, state issued identification card, or passport, from every person claiming to be twenty-one (21) years of age or older;

(2) Identify patrons over twenty-one (21) years of age with both an identifiable hand stamp and a bracelet and shall require every patron to show both hand stamp and bracelet before purchasing an alcoholic beverage;

(3) Sell not more than one alcoholic beverage to an eligible patron in a single transaction, and shall prohibit a patron from carrying more than one alcoholic beverage from a bar or drink dispensing location;

(4) Not permit any patron who leaves the premises to be readmitted prior to closing without payment of the same admission or cover charge required of patrons entering the premises initially.

(d) The licensing authority of each town or city shall set the closing time for each establishment holding a Class N nightclub license within its jurisdiction pursuant to § 3-7-7(a)(1) and (a)(4), and notwithstanding other provisions of those subdivisions, an establishment holding a Class N nightclub license which is permitted to remain open until two o'clock (2:00) a.m., shall not admit patrons after one o'clock (1:00) a.m.

(e) The licensing authority of each town or city will establish the cost and duration of all Class N nightclub licenses issued by that authority.

(f) Notwithstanding the provisions of § 3-5-17, no licensing authority may issue a Class N nightclub license unless the following notice requirements have been met:

(1) Any establishment applying for a Class N nightclub license, or the renewal of that license, or which is the subject of a hearing relating to its Class N nightclub license, must provide the general public with notice of its application by posting a twenty-four (24) inch by thirty-six (36) inch notice on its premises, in a manner clearly visible to the general public, at least thirty (30) days prior to the hearing date before the licensing authority for the license, and at least thirty (30) days prior to hearings related to the license on appeal to the director. If any hearing is scheduled to occur in less than thirty (30) days, the applicant or Class N nightclub license holder must post this notice within three (3) business days after its receipt of notification of that hearing from the licensing authority or the director.

(2) The notice shall contain the name of the applicant and a description by street and number or other plain designation of the particular location for which the Class N nightclub license is requested. The notice shall state that remonstrants are entitled to be heard at the hearing on the Class N nightclub license, and shall provide the time and place of that hearing.

(g) Any establishment that holds a Class N nightclub license must:

(1) Comply with local ordinances governing noise levels;

(2) Cooperate with law enforcement officials;

(3) Provide private security for the safety of patrons both inside and outside the establishment, which private security must be certified by TIPS or a similar agency approved by the licensing authority; and

(4) Collect trash generated by the establishment every night that the establishment is open in an area surrounding the premises that is reasonable and prudent, given the size of the establishment;

(h) The licensing authority of each town or city will develop requirements for police details for the purposes of public safety and traffic control in and around the premise of each establishment holding a Class N nightclub license.