

2014 -- H 8080

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- RETAIL LICENSES

Introduced By: Representatives Winfield, and Costantino

Date Introduced: April 30, 2014

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-7-7 of the General Laws in Chapter 3-7 entitled "Retail Licenses"

2 is hereby amended to read as follows:

3 **3-7-7. Class B license.** -- (a) (1) A retailer's Class B license is issued only to a licensed
4 bona fide tavern keeper or victualer whose tavern or victualing house may be open for business
5 and regularly patronized at least from nine o'clock (9:00) a.m. to seven o'clock (7:00) p.m.
6 provided no beverage is sold or served after one o'clock (1:00) a.m., nor before six o'clock (6:00)
7 a.m. Local licensing boards may fix an earlier closing time within their jurisdiction, at their
8 discretion. The East Greenwich town council may, in its discretion, issue full and limited Class B
9 licenses which may not be transferred, but which shall revert to the town of East Greenwich if not
10 renewed by the holder. The Cumberland town council may, in its discretion, issue full and limited
11 Class B licenses which may not be transferred to another person or entity, or to another location,
12 but which shall revert to the town of Cumberland if not renewed by the holder. [The Smithfield](#)
13 [town council may, in its discretion, issue full and limited Class B licenses which may not be](#)
14 [transferred to another person or entity, or to another location, but which shall revert to the town of](#)
15 [Smithfield if not renewed by the holder.](#)

16 The Pawtucket city council may, in its discretion, issue full and limited Class B licenses
17 which may not be transferred to another person or entity, or to another location, but which shall
18 revert to the city of Pawtucket if not renewed by the holder. This legislation shall not affect any
19 Class B license holders whose licenses were issued by the Pawtucket city council with the right to

1 transfer.

2 (2) The license authorizes the holder to keep for sale and sell beverages including beer in
3 cans, at retail at the place described and to deliver them for consumption on the premises or place
4 where sold, but only at tables or a lunch bar where food is served. It also authorizes the charging
5 of a cover, minimum, or door charge. The amount of the cover, or minimum, or door charge is
6 posted at the entrance of the establishments in a prominent place.

7 (3) Holders of licenses are not permitted to hold dances within the licensed premises,
8 unless proper permits have been properly obtained from the local licensing authorities.

9 (4) Any holder of a Class B license may, upon the approval of the local licensing board
10 and for the additional payment of two hundred dollars (\$200) to five hundred dollars (\$500), open
11 for business at twelve o'clock (12:00) p.m. and on Fridays and Saturdays and the night before
12 legal state holidays may close at two o'clock (2:00) a.m. All requests for a two o'clock (2:00) a.m.
13 license shall be advertised by the local licensing board in a newspaper having a circulation in the
14 county where the establishment applying for the license is located.

15 (5) A holder of a retailer's Class B license is allowed to erect signs advertising his or her
16 business and products sold on the premises, including neon signs, and is allowed to light those
17 signs during all lawful business hours, including Sundays and holidays.

18 (b) The annual license fee for a tavern keeper shall be four hundred dollars (\$400) to two
19 thousand dollars (\$2,000), and for a victualer the license fee shall be four hundred dollars (\$400)
20 to two thousand dollars (\$2,000). In towns with a population of less than two thousand five
21 hundred (2,500) inhabitants, as determined by the last census taken under the authority of the
22 United States or the state, the fee for each retailer's Class B license shall be determined by the
23 town council, but shall in no case be less than three hundred dollars (\$300) annually. If the
24 applicant requests it in his or her application, any retailer's Class B license may be issued limiting
25 the sale of beverages on the licensed premises to malt and vinous beverages containing not more
26 than twenty percent (20%) alcohol by volume, and the fee for that limited Class B license shall be
27 two hundred dollars (\$200) to one thousand five hundred dollars (\$1,500) annually. The fee for
28 any Class B license shall in each case be prorated to the year ending December 1 in every
29 calendar year.

30 (1) Upon the approval and designation of a district or districts within its city or town by
31 the local licensing board, the local licensing board may issue to any holder of a Class B license or
32 a Class ED license, an extended hours permit to extend closing hours on Thursdays, Fridays and
33 Saturdays, the night before a legal state holiday or such other days as determined by the local
34 board, for one hour past such license holder's legal closing time as established by the license

1 holder's license or licenses including, but not limited to, those issued pursuant to subdivision (4)
2 hereof. The extended hours permit shall not permit the sale of alcohol during the extended one-
3 hour period and shall prohibit the admittance of new patrons in the establishment during the
4 extended one-hour period. The designation of such district(s) shall be for a duration of not less
5 than six (6) months. Prior to designating any such district, the local licensing authority shall hold
6 a hearing on the proposed designation. The proposed designation shall include the boundaries of
7 the proposed district, the applicable days for the extended hours, and the duration of the
8 designation and the conditions imposed. The proposed designation shall be advertised at least
9 once per week for three (3) weeks prior to the hearing in a newspaper in general circulation in the
10 city or town. The city or town will establish an application process for an extended hours permit
11 for such license holder and may adopt rules and regulations to administer the permit.

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

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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 allow the Smithfield town council in its discretion to issue full and limited
- 2 Class B licenses which shall not be transferred to another person, entity or to another location, but
- 3 which shall revert to the town if not renewed.
- 4 This act would take effect upon passage.

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