

**Sec. 30-6-B28. Area; seating capacity; facilities**

(a) No restaurant permit shall be issued if the premises applied for is not equipped with a dining room having an area of four hundred square feet or more and having a seating capacity of twenty persons or more.

(b) No permit shall be issued for a cafe which consists of more than one public room, excluding toilet, kitchen and other non-public areas, unless its dining room or lounge has an area of four hundred square feet or more and a seating capacity of twenty persons or more.

(c) No restaurant permit and no permit for a cafe consisting of more than one public room shall be issued unless the premises have separate toilet facilities for men and for women which may be reached without passing through the barroom. The department may, in its discretion, waive the requirement for separate facilities in cases of hardship. Upon a showing of changed conditions, the department may revoke the waiver after due notice and an opportunity for a hearing has been provided.

(Effective October 28, 1977; Amended October 1, 2001)