

Secretary of the State File Number

**6291**

Regulation of the  
**Department of Consumer Protection**  
Concerning

**Liquor Control Regulatory Updates**

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **April 4, 2019**

EFFECTIVE DATE

**April 4, 2019**

Approved by the Attorney General on

**January 17, 2019**

Approved by the Legislation Regulation Review Committee on

**March 26, 2019**

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

**March 28, 2019**

Form ICM-ECOPY (NEW 6/2015)  
State of Connecticut  
Secretary of the State



**IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES**  
This form should be used only for regulations first noticed on and after March 23, 2015.

## Electronic Copy Certification Statement

*(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)*

Regulation of the  
**Department of Consumer Protection**  
Concerning  
**Liquor Control Regulatory Updates**

Approved by the Legislative Regulation Review Committee: **March 26, 2019**  
eRegulations System Tracking Number: **PR2018-025**

**I hereby certify** that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

**And I further certify** that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

**In testimony whereof**, I have hereunto set my hand on **March 28, 2019**.

Julianne Avallone

Legal Division Director

Department of Consumer Protection

State of Connecticut  
Regulation of  
**Department of Consumer Protection**  
Concerning  
**Liquor Control Regulatory Updates**

Section 1. Section 30-6-A1 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 30-6-A1. New applications**

When a complete and correctly executed new application for a permit is received at the office of the department for action, a placard and a form for publication of notice of application shall be mailed to the applicant and an investigation shall be made to evaluate conformance with the statutes, regulations and policies of the department. The proper permit fee and non-refundable filing fee in the form of a certified check, postal money order, bank check or cash shall accompany the application. The department may, in its discretion, accept a noncertified check, credit card, or debit card. An application may be conditionally approved by the department, but no permit shall be issued until the applicant complies with all statutes, regulations, policies and stipulations of the department. No applicant shall sell or deliver or offer or expose for sale or delivery, or ship and transport or import into the state any alcoholic liquor until a permit is issued.

(a) All new applications, except applications for airline, boat, broker, caterer, out-of-state shipper for liquor, out-of-state shipper for beer only, transporter, and railroad permits, shall be accompanied by: zoning officer approval for the proposed use; town clerk approval for the proposed hours of sale; a notarized copy of the pharmacy commission certificate of fitness if the application is for a druggist permit; a notarized copy of the commission on special revenue license if the application is for a permit provided for by section 30-33b of the Connecticut General Statutes; and police approval if the application is for a temporary permit, special club permit or charitable organization permit. The department shall require approval from the local fire marshal for on-premises consumption permits, except airline, boat, caterer, and railroad permits, before a permit shall be issued. Aforementioned additional certifications need not accompany the application, but shall be submitted to the department within a reasonable time to be determined by the department. Applicants shall submit such other certifications as the department may require. If approval is given for a permit for a building which has not been constructed, the applicant and backer shall present to the department a signed stipulation setting forth a time limit for the construction and occupancy for the proposed permit premises, and no permit shall be issued where such applicant and backer fails to conform with such stipulation order.

(b) (1) Every application for an on-premises permit, other than a boat permit, caterer permit, railroad permit, military permit, or airline permit, shall be accompanied by a diagram, sketch, plan or blueprint of the layout of the premises, including performance or stage areas where applicable, eight and one half inches by eleven inches in size with measurements indicated thereon.

(2) Every application for a permit, other than a boat permit, caterer permit, charitable organization permit, transporter permit, railroad permit, out-of-state shipper's permit for alcoholic liquors, out-of-state shipper's permit for beer only, military permit, airline permit, special club permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises, to be taken from a position directly across the street or highway. Such

photograph shall be eight inches by ten inches in size.

(3) Every application for a grocery store beer permit also shall be accompanied by photographs eight inches by ten inches in size showing the entire interior of the sales area of the grocery store.

(c) Every application for an on-premises consumption permit, except caterer, railroad, boat, airline, military, charitable organization, special club, temporary liquor, and temporary beer permit shall be accompanied by photographs of the completed interior of the premises as the department may require. Such photographs shall be eight inches by ten inches in size.

(d) Every applicant for a new restaurant permit shall demonstrate to the satisfaction of the department that adequate staff and facilities will be provided for the operation of the premises as a bona fide restaurant.

(e) Every applicant for a manufacturer or wholesaler permit shall provide a photostatic copy of the federal basic permit, and no such applicant shall be issued a permit until the department receives notification from the Department of Revenue Services that a proper tax bond has been posted by the manufacturer or wholesaler for his proposed premises.

(f) A new application shall be filed whenever there is a change in ownership of the permit premises, except for situations covered by section 30-6-A4 of the Regulations of Connecticut State Agencies, or in situations where the corporate structure changes but the individuals who comprise the current ownership remain the same. The backer or owner on the new application shall not exercise any ownership or dominion over such business until such time as such backer has been approved by the department. If such application is filed less than sixty days prior to the expiration date of the existing permit, the permittee on the existing permit shall be required to file a renewal in order to assure the continuance of the business. The department will permit the dating back of new permits to the expiration date of the previous permit on the premises involved in the change of ownership, where the department is satisfied that the new application was filed in accordance with the provisions of this section.

(g) Applicants shall affix the supplied placard to the outer door of the proposed premises. The placard must be maintained there in a legible condition while the application is pending before the department. Whenever an application is filed for a permit for a building which has not been constructed, or if the outer door of the proposed premises is more than twenty-five feet from the public sidewalk or the edge of the highway, the applicant shall, not later than the day following the date of receipt of the placard, cause to be erected on the proposed location a sign, no less than six feet by four feet in size. Such sign shall set forth the fact that a permit is being requested, the date of receipt of the placard, the type of permit applied for, the type of entertainment, if any, the name of the proposed permittee, [and] the name of the proposed backer-owner and other information as the department may require. The form of the placard shall be posted on the department's website. [The placard shall be attached to such sign. The following form and elements are required for such sign:

THE DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR PERMIT REQUEST FOR THESE PREMISES

DATE: . . .

TYPE OF PERMIT: . . .

PERMITTEE: . . .

BACKER-OWNER: . . .

TYPE OF ENTERTAINMENT, IF ANY: . . .

OBJECTIONS MUST BE RECEIVED BY DCP BY AT  
LIQUOR CONTROL DIV., 165 CAPITOL AVE., HARTFORD, CT 06106

(Placard)

]

Such sign shall consist of black letters of a minimum height of four inches on a white background. It shall be placed in close proximity to the street or highway with a clear and unobstructed visibility to the passing public, and shall be maintained on the premises for twenty-one days. The attached placard shall be protected from the weather.

(h) No application shall be approved by the department until any necessary incorporation and organization papers have been filed with the secretary of state's office.

Sec. 2. Section 30-6-A8 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 30-6-A8. Suspensions; offers in compromise in lieu of suspensions; revocations**

(a) A revocation terminates the life of the permit. A suspension makes the permit inactive for the time indicated by the department.

(b) A permit and any certificate of permanent substitution issued in conjunction therewith may be revoked or suspended after due hearing for any violation, either by the permittee, the backer or their agent, of the liquor control act or of any regulation issued by the department.

(c) The revocation or suspension shall become effective not earlier than forty-five days after the mailing of the order of such revocation or suspension by the Department, except in cases of emergency actions pursuant to section 4-182 (c) of the Connecticut General Statutes, or unless an earlier effective date is agreed to by the permittee and backer, or unless otherwise ordered by the department.

(d) During the period of any suspension as a result of disciplinary action by the department, no permittee shall alter his premises, unless alterations have been expressly approved by the department, nor shall a permittee attach to the exterior or any other part of his permit premises any sign or signs indicating that his premises are "closed for repairs," "closed for alterations" or any such like signs.

(e) Whenever a permit is suspended as a result of disciplinary action by the department, there shall be placed on the permit premises in the front window facing the street, or inside of the door used as a main entrance, if such door is mainly composed of glass and such entrance is located on or adjacent to a street, a placard furnished by said department. This placard shall contain the length of the suspension and the reasons therefor. This placard shall be maintained in place by the permittee until the period of suspension has terminated. A second placard shall be displayed at such place within the permit premises visible to the public as shall be determined by the department.

(f) No alcoholic liquors shall be sold, delivered, offered, ordered or received during the period of suspension. Whenever any permit is under suspension, all liquors shall be securely locked during the period of such suspension. During the period of suspension, a package store shall remain closed for all business. A package store permittee may visit the premises only for the needful care and maintenance of the premises.

(g) During the period of suspension of any manufacturer or wholesaler permit, no sales shall be made and no liquors shall be delivered, nor shall the customers of such permittee be visited or solicited; however, clerical help may be employed.

(h) Whenever a penalty is given on a seasonal permit, it shall be stipulated on renewal that it shall be surrendered at some time during the season wherein the permittee operates, the time to be designated by the department.

(i) Except in the case of a suspension following a final conviction under section 30-57 of the Connecticut General Statutes, the department may, in its discretion, accept an offer in compromise in

lieu of a suspension from a permittee or backer whose permit has been suspended after due hearing. Such offer must be submitted to the department from the respondent permittee in writing not later than ten days from the date of the order of such suspension and must include a waiver of appeal and judicial review, and a [certified check] payment in the amount and form designated by the department. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(j) Following a final conviction of the permittee under section 30-57 of the Connecticut General Statutes, upon reaching a decision after due hearing, the department may, in its discretion, notify the permittee and backer in writing as to the amount which may be accepted in lieu of a suspension, indicating the penalty which shall otherwise be imposed. Unless a written offer, which shall include a waiver of appeal and judicial review and a [certified check] payment in the amount and form designated by the department, [are] is received within ten days from the date of the department's letter, the department shall issue an order suspending the permit for the period of time indicated. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(k) [In considering the amount which may be accepted as an offer in compromise in lieu of suspension, the department may use the following formula:

$\$75 \times \text{number of days of suspension} = \text{offer}$  ] At any time prior to an administrative hearing, the department may enter into a settlement agreement with a permittee in lieu of formal administrative action.

Sec. 3. Section 30-6-A16 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 30-6-A16. Removal of permit business**

The department may require a waiting period of twenty-one days before any decision is made on any request for the removal of a retail or wholesale permit business.

(a) Any permittee who desires to move his permit business from the present location to another shall make application on forms prescribed by the department and, in addition, shall publish this request, on forms which shall be provided, in a newspaper having circulation in the town in which such business is located, once a week for two successive weeks, the first publication to be not more than seven days after the receipt of the placard. The applicant shall affix, not later than the day following its receipt, a placard, provided by the department, upon the outer door of the building wherein such place of business is to be located, clearly readable from the public highway, and shall maintain the same in legible condition. Whenever an application is filed for a building which has not been constructed, or if the outer door of the proposed premises is more than twenty-five feet from the public sidewalk or the edge of the highway, the applicant shall, not later than the day following the date of receipt of the placard, cause to be erected on the proposed location a sign, at least six feet by four feet in size. The placard shall be attached to such sign. [The following form and elements are required for such sign:

DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR PERMIT REMOVAL REQUESTED FOR THESE PREMISES

DATE: . . .

TYPE OF PERMIT: . . .

PERMITTEE: . . .

BACKER-OWNER: . . .

REMOVAL FROM: . . .

TYPE OF ENTERTAINMENT, IF ANY: . . .

OBJECTIONS MUST BE RECEIVED BY DCP BY \_\_\_\_\_ AT  
LIQUOR CONTROL DIV., 165 CAPITOL AVE., HARTFORD, CT 06106

(Placard)  
]

Such sign shall consist of black letters of a minimum height of four inches on a white background. It shall be placed in close proximity to the street or highway with a clear and unobstructed visibility to the passing public, and shall be maintained on the premises for twenty-one days. The attached placard shall be protected from the weather. [The applicant shall make a return to the department, under oath, of compliance with the foregoing requirements.]

(b) [A return] Confirmation shall be made to the department[, under oath,] of compliance with the foregoing requirements, on forms prescribed by the department.

(c) Every application for the removal of any on-premises permit other than a boat permit, caterer permit, railroad permit, military permit, or airline permit shall be accompanied by a diagram, sketch, plan or blueprint of the layout of the proposed new premises. Measurements shall be indicated thereon.

(d) Every application for the removal of a permit, other than a caterer, transporter, boat permit, railroad permit, out-of-state shipper's permit for beer only, out-of-state shipper's permit for alcoholic liquors; military permit, airline permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises. The photograph shall be eight inches by ten inches in size.

Sec. 4. Section 30-6-B55 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 30-6-B55. Restriction of sales**

(a) During hours when the sale of alcoholic liquors for off-premises consumption is forbidden and grocery store beer permit premises are open for business, all beer coolers accessible to the public shall be locked and all floor stock suitably covered so as to prevent access to the public. No beer shall be removed from such premises except during legal hours of sale

(b) [No permittee or backer, who owns or operates a grocery store adjacent to any package store liquor permit premises, shall deliver alcoholic beverages together with groceries ordered by any consumer or purchaser from the grocery store premises. Alcoholic beverages sold under a package store liquor permit shall be delivered separately to any purchasers. Nothing in this subsection shall prohibit the delivery of beer sold under a grocery store beer permit exclusively or along with groceries from such grocery store beer permit premises.] Alcoholic beverages sold under a package store permit shall be delivered separately to any purchasers. Nothing in this subsection shall prohibit the delivery of beer sold under a grocery beer permit exclusively or along with groceries from such grocery store beer permit premises.

R-39 Rev. 02/2012

**Statement of Purpose**

This proposed regulation simplifies liquor permit placard posting, creates flexibility in administrative settlements of cases, and modifies a rule regarding liquor deliveries.

**IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES**  
This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

**AGENCY CERTIFICATION**

**Department of Consumer Protection**

Proposed Regulation Concerning

**Liquor Control Regulatory Updates**

eRegulations System Tracking Number **PR2018-025**

**I hereby certify the following:**

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **Conn. Gen. Stat. Section 30-6a.**

*For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.*

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **N/A.**

*For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)*

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **November 9, 2018.**

(4) *(Complete one)*  No public hearing held or was required to be held. **OR**  One or more public hearings were held on: **N/A.**

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **December 19, 2018.**

(6) *(Complete one)*  No comments were received. **OR**  Comments were received and the agency posted the statements specified in subdivisions (1) and (2) of CGS Section 4-168(e) to the eRegulations System website on **n/a.**

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **December 19, 2018.**

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

*(Check one and complete as applicable)*

When posted to the eRegulations System website by the Secretary of the State.

**OR**  On \_\_\_\_\_

*(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)*

\_\_\_\_\_  
**SIGNED**  
*(Head of Board, Agency or Commission, or duly authorized deputy)*

*Legislative Program Manager*  
\_\_\_\_\_  
**OFFICIAL TITLE**

*Dec. 19, 2018*  
\_\_\_\_\_  
**DATE**

**OFFICE OF THE ATTORNEY GENERAL  
REGULATION CERTIFICATION**

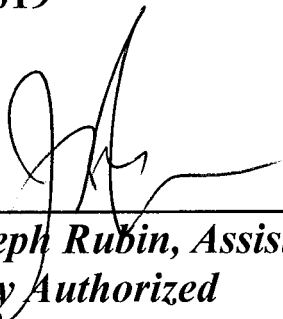
**Agency: Connecticut Department of Consumer Protection**

***REGULATION NUMBER PR2018-025***

**This Regulation is hereby APPROVED by the Attorney General as to legal sufficiency in accordance with Connecticut General Statutes Section 4-169.**

**DATE: 1/17/2019**

**Signed:**

  
\_\_\_\_\_  
***Joseph Rubin, Assistant Deputy Attorney General  
Duly Authorized***

# The Connecticut General Assembly

## Legislative Regulation Review Committee

Senator Craig Miner  
Senate Chair



Representative Susan Johnson  
House Chair

### Official Record of Committee Action

March 26, 2019

Agency: Department of Consumer Protection  
Description: Liquor Control Regulatory Updates  
LRRC Regulation Number: 2019-003  
eRegulation Tracking Number: PR2018-025

The above-referenced regulation has been

### Approved with Technical Corrections

by the Legislative Regulation Review Committee in accordance  
with CGS Section 4-170.

Kirstin L. Breiner  
Committee Administrator



State of Connecticut  
Office of the Secretary of the State

## Confirmation of Electronic Submission

Re: Regulation of the Department of Consumer Protection concerning Liquor  
Control Regulatory Updates  
eRegulations System Tracking Number PR2018-025  
Legislative Regulation Review Committee Docket Number 2019-003

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on March 26, 2019.

Said regulation is assigned Secretary of the State File Number 6291.

The effective date of this regulation is April 4, 2019.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill  
Secretary of the State  
April 4, 2019

By:

/s/ Kristin M. Karr  
Kristin M. Karr  
Administrative Law  
Information Systems Manager