

SECTION 14
ALCOHOLIC LIQUOR

14.1 General. The Regulations which follow pertain to the use of land, Buildings or other Structures or Premises as a “liquor establishment”. Special definitions applicable under this Section are as follows:

14.1.1 Alcoholic Liquor and Permits. “Alcoholic Liquor” (alcohol, beer, spirits and wine) and the various types or classes of liquor permits referred to in this Section are as defined in Chapter 545 of the Connecticut General Statutes, as amended, known as the “Liquor Control Act”.

14.1.2 Liquor Establishment. Any land, Building or other Structure or Premises where the sale of alcoholic liquor is authorized by a permit issued by the Liquor Control Commission of the State of Connecticut.

14.2 Special Permit. Liquor establishments and a change in type or class of liquor permit applicable to an existing liquor establishment are permitted only after a Special Permit therefore has been secured from the Commission. Requirement to secure such Special Permit is in addition to other requirements of these Regulations such as, but not limited to, submission and approval of a Site Development Plan for the Premises. Application for such Special Permit shall be made and the Commission act on the application as provided in Section 13B.. In addition to the standards and criteria of Section 13B, the Commission:

- a. shall determine whether or not particular requirements of this Section applicable in the various districts are met;
- b. shall give consideration to the effect of the proposed use on present and future residential, commercial or waterfront uses in the vicinity, to objectionable noise, to the manner and schedule of liquor service, to architectural features including signs, to the site plan, including landscaping, to the provision of off-street parking and to traffic safety; and,
- c. may grant the Special Permit subject to conditions deemed necessary by the Commission to protect the public health, safety and welfare and property values under the purposes of these Regulations; or
- d. may disapprove the application if found contrary to the purposes of the Regulations. No Special Permit shall be granted authorizing a liquor establishment to operate under a café permit as defined by the State Liquor Control Commission, nor shall any provision of these Regulations be construed to permit such use. [Amended Effective 2/28/97]

- e. Consumption of alcohol that is Accessory to Full Service Restaurant or a Full Service Restaurant that is Accessory to a Hotel/Motel, Inn, Country Club or Golf Course shall be by a service bar only and not by a bar at which patrons may stand or sit to be served alcoholic beverages. A “service bar” shall be defined as an area for the preparation of alcoholic beverages which are then taken by wait persons employed by the facility and delivered to customers seated at tables or other seating areas.

14.3 Residence and Rural Districts. Within a Residence or Rural District (R, MFR, and RU Districts), no land, Building or other Structure, or Premises, shall be Used as a liquor establishment except as follows:

14.3.1 A dining room in a permitted Inn or a permitted Full Service Restaurant for consumption of alcoholic liquor on the Premises under a restaurant permit, provided that the Use is located on a lot of five (5) acres or more and having not less than 3,000 square feet of lot area for each seating accommodation in the dining room or restaurant and provided further that all Buildings Used for such purpose shall be located not less than 100 feet from any property line and 50 feet from any Street Line; and such Building, if constructed after September 1, 1958 and Used for such purpose, shall not be within a 1,500 foot radius from any other Building Used for such purpose in any District.

14.4 Waterfront Business and Light Industry Districts. Within a Waterfront Business District (WF-20 District) and Light Industry District (LI-80 District), no land, Building or other Structure, or Premises, shall be Used as a liquor establishment.

14.5 Commercial Districts: Within a Commercial District (C-30, C-30S, and C-10 Districts), land, Buildings and other Structures, or Premises, may be Used as a liquor establishment subject to the following requirements:

14.5.1 Spacing from House of Worship or School. No Building, other Structure or Premises shall be Used as a liquor establishment if any entrance to such liquor establishment is located within a 200 foot or less radius from property containing a House of Worship or school building provided, however, that a Building, Structure or Premises is eligible to be used as a liquor establishment within such distance if the House of Worship or school was erected on such property after the lawful commencement of the liquor establishment Use.

14.5.2 Spacing Between Establishments. No Building, other Structure or Premises shall be Used as a liquor establishment as follows:

- a. Within a C-30S Commercial District. For the sale of alcoholic liquor for consumption on the Premises if located within a 750-foot radius of any other premises selling alcoholic liquor for consumption on the Premises, provided that all sales of alcoholic liquor allowed under this Section shall be as an accessory use to the principal use of the serving of meals at a full service restaurant, with alcohol served only to dining patrons.
- b. Within a C-10, C-30 or C-30S Commercial District: For the sale of alcoholic liquor for consumption on the premises if located within a 1500- foot radius of any other Premises used for the sale of alcoholic liquor for consumption on the Premises, except as permitted in 14.5.2a above. [Amended Effective 3/1/01 and 3-7-08].
- c. Within a C-10, C-30 or C-30S Commercial District: For the sale of alcoholic liquor for consumption off the premises if located within a 1500-foot radius of any other premises used for the sale of alcoholic liquor off the premises, which spacing requirements shall not apply to establishments having a grocery store permit for the sale of beer only. [Amended Effective 3/1/01 and 3-7-08].

The 1,500 foot and 750 foot radius requirements are measured in a straight line from any entrance of the liquor establishment to the entrance of any other liquor establishment. [Amended Effective 3/1/01 and 3-7-08].

14.5.3 Increase in Nonconformity. No Building, other Structure or Premises located within less than the 750 foot radius and the 1,500 foot radius specified in paragraph 14.5.2 and used as a liquor establishment under a permit authorizing the sale of beer only shall be changed in use to be a liquor establishment having any other type or class of liquor permit.

14.6 Termination of Liquor Establishment. If any Building, other Structure or Premises has ceased to be used as a liquor establishment, such Building, other Structure or Premises shall not again be used as a liquor establishment until a Special Permit therefor has been secured as provided in this Section, unless within 365 days the Building, other Structure or Premises shall again be occupied and actually used for a period of four (4) consecutive weeks as a liquor establishment under a liquor permit of the same type or class issued by said Liquor Control Commission and permitted by these Regulations.

[From former Section 45, Amended Effective 3-7-08, except as otherwise noted]

Rev. February 20, 2008 to add reference to C-30S in Section 14.5.