

# **REFERENCE GUIDE BAR LICENSE**



## **UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE SERVICES**

P.O. Box 30408  
Salt Lake City, UT 84130-0408  
Telephone: 801-977-6800 Fax: 801-977-6889  
Website: [www.abs.utah.gov](http://www.abs.utah.gov)

# TO ALL LICENSEES

As a licensee of the Utah Department of Alcoholic Beverage Services, you are required to be aware of the responsibilities, procedures, and potential liabilities regarding the sale and service of alcoholic beverages.

This reference guide has been prepared to help you legally handle alcoholic beverages. Please learn the information and keep the guide available for later review. This version of the reference guide is issued in January 2024. Previously issued reference guides should be discarded as they may contain outdated information.

Our website ([www.abs.utah.gov](http://www.abs.utah.gov)) has information about the alcohol laws and rules with direct links to the complete code and administrative rules and information about stores and agencies, products and prices, server training, and other interesting links. The website is regularly updated. Please review the website for information and services as they are developed.

It is our responsibility and desire to be of service and assistance. If you have questions after consulting the reference guide, please call 801-977-6800, write or e-mail the DABS Licensing & Compliance Division at [DABScompliance@utah.gov](mailto:DABScompliance@utah.gov).

# BAR LICENSES



**Utah Code Title 32B, Chapter 6, Part 4, Bar Establishment License, allows for the storage, sale, service, and consumption of alcoholic beverages on the premises of a bar license.**

Bar licenses run from July 1<sup>st</sup> to June 30<sup>th</sup>. All license renewals are due by May 31<sup>st</sup> every year. The renewal fee is \$2,000. License fees are not prorated, so full fees will be due even if a new license was issued at any time during the previous year.

***Be prepared to renew licenses beginning May 1<sup>st</sup> through May 31<sup>st</sup> annually.***

**BAR ESTABLISHMENT LICENSES** are limited to a quota, formulated by the population of the state.



There are three types of bar establishment licenses. The bar, the equity, and the fraternal. However, this reference guide pertains only to the bar license, and not an equity or fraternal license.

Bar licenses are issued to social drinking establishments that are open to the public. However, the bar may choose to be private and restrict access to only those who are on a list or pay a fee.

## OPERATIONAL REQUIREMENTS

**A Bar licensee must display:**

### 1. A warning sign

The warning sign contains two messages, each of which must be in a different font. It may be used as-is or custom-made, but the size of the sign and the size of the fonts may not be any smaller than the template. The color of the print does not have to be red, and the sign does not have to be white, but it has to be easily readable and posted in a prominent place (obviously, not behind the pickle jar or in the office) on the licensed premises. [GO HERE](#) to download a warning sign template from the DABS website.

**WARNING**  
**DRINKING ALCOHOLIC BEVERAGES  
DURING PREGNANCY CAN CAUSE  
BIRTH DEFECTS AND PERMANENT  
BRAIN DAMAGE FOR THE CHILD**  
CALL THE DEPARTMENT OF HEALTH AT  
1-800-822-2229 WITH QUESTIONS OR MORE INFORMATION  
**WARNING**  
**DRIVING UNDER THE INFLUENCE OF  
ALCOHOL OR DRUGS IS A SERIOUS  
CRIME THAT IS PROSECUTED  
AGGRESSIVELY IN UTAH**

### 2. The DABS and city licenses in a prominent place.



#### LOCAL CITY LICENSE

SOMEBODY REC LLC  
1234 SOMEBODY STREET  
SOMEBODY CITY, UT 84000

### 3. A sign, posted in a conspicuous place at the entrance of the premises that informs the public that the premises is “A BAR” and that at “NO ONE UNDER 21 IS ALLOWED”.

**THIS IS A BAR**  
No One Under  
21 is Allowed

## SALES AND CONSUMPTION HOURS

Alcoholic beverages may be sold on any day from 10:00 a.m. until 1:00 a.m. Consumption of alcohol in bars is prohibited between the hours of 2 a.m. and 10 a.m. Bars must remain open an extra hour after alcohol sales and service have ended to allow a patron to finish consuming:



- a single drink containing spirituous liquor
- a single serving of wine not exceeding five ounces
- a single serving of heavy beer
- a single serving of beer not exceeding 26 ounces
- a single serving of hard cider (16 ounces or less furnished in an original container not exceeding 5% ABV)
- a single serving of a flavored malt beverage

The bar does not have to remain open after all patrons have vacated the premises, or during an emergency.

## PURCHASE OF ALCOHOL

Spirits, wine, flavored malt beverages, and heavy beer must be purchased at the Utah state liquor stores or package agencies. Purchasing alcohol from outside of the state of Utah is unlawful.



**Procedures for ordering alcohol are as follows:**

A licensee may sign up for  
"ACH" ordering  
**ONLINE!**  
Contact DABS to get  
signed up.

The licensee must call, fax, or order online in advance of pickup to allow department personnel sufficient time to assemble the order. Include your business name, DABS license number, and list the products by code number.

*Licensees may not buy merchandise directly off the shelves of a state store or package agency to fill their order.*

**ALLOW AT LEAST 4 HOURS** for department personnel to assemble the order  
for pick-up.

When the order is complete, the licensee will be notified and given the total cost of the order. The licensee may pay for the product in cash, company check, credit card, or cashier's check. Licensees will have to examine and sign for the order before it leaves the store to verify that the product has been received.





## LIQUOR RETURNS

**Spirituous liquor may be returned by the licensee for the original purchase price if:**

- The bottle has not been opened
- The seal remains intact
- The label remains intact
- The licensee produces the original receipt

**NOTE** – Returned orders that exceed \$1,000 will require a restocking fee of 10%. All spirituous liquor returned that is based on a single purchase on a single receipt must be returned at the same time.



**WINE AND BEER MAY NOT BE RETURNED** . . . unless it can be shown that the product was spoiled or otherwise non-consumable at the time of purchase.

## BEER PURCHASES

Beer must be purchased from beer distributors. Licensees must call and set up an account with the appropriate distributor for their area. A list of distributors may be found on the DABS website.

Beer may also be purchased from any licensed Utah small brewer that manufactures beer. However, bar licensees may not purchase beer from any other retail outlet such as grocery or convenience stores for resale at the licensed establishment.



## ALCOHOL STORAGE

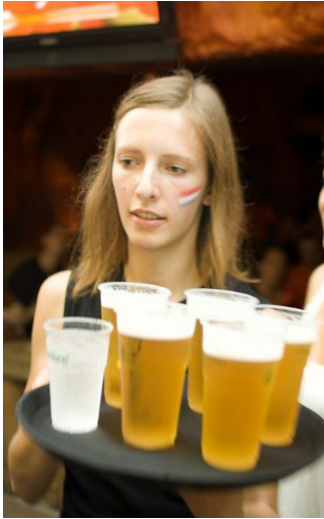
Alcohol may only be stored in a designated place approved by DABS on the initial application floor plan. ***Any changes in the storage area(s) must first be approved by DABS.***

Storage or dispensing systems located at a patron's table are prohibited.

**NOTE:** Liquor, wine, and heavy beer storage must always remain locked when alcohol sales are not permitted. However, the licensee may open the storage area during hours otherwise prohibited for the limited purpose of inventory, restocking, repair, and cleaning.

# EMPLOYEES

Any employee who sells, serves, dispenses, or handles alcohol must be 21 years of age or older.



- Servers of alcohol must wear a unique identification badge showing the employee's first name, initials, or a number assigned by the employer and must be worn above the waist.
- Employees may not consume or be under the influence of alcoholic beverages while on duty.

## TRAINING

### SERVER TRAINING:

The Department of Health and Human Services server training is required for all owners, managers, supervisors, and employees who serve (or manage those who serve) alcohol. They must take and pass an alcohol server training seminar every three years and must complete the training prior to commencing employment. [GO HERE](#) to find links for state-approved training programs

### DABS MANAGER TRAINING:

As a condition of an applicant obtaining a DABS license, all applicant managers must complete the DABS manager training. Any new manager must take the training within 30 days of hire.

- A manager includes owners and employees that act in a supervisory or managerial capacity over the furnishing of an alcoholic product or the employees who serve alcoholic products.
- Training is completed online. [GO HERE](#) to find links to the training on the DABS website.
- The manager training fee is \$25 per manager.



### Employees can be FINED for violations.

The Alcoholic Beverage Services Commission is authorized to assess an administrative fine against an officer, employee, or agent of a licensee for a violation of the alcoholic beverage laws.

**Please be careful!** Off-duty owners or employees who have been drinking must not step back in and perform any on-duty type

## NO MINOR EMPLOYEES ARE ALLOWED

- Minors may not be employed on the premises of a bar. This includes band members, construction workers, etc.
- Minors may not be admitted into, use, or be on the premises of a bar EVER – even if closed.
- A narrow exception exists for minors allowed in “dance or concert hall” permits issued before May 12, 2009.

# SALE AND SERVICE OF ALCOHOLIC BEVERAGES

## Liquor Sales

The primary liquor in a mixed drink may be dispensed from any size bottle, but only in quantities not to exceed 1.5 ounces through a department-approved calibrated metered dispensing system or device.



Liquor used as a secondary flavoring need not be dispensed through the dispensing system but must still be measured.

The total amount of spirituous liquor in a beverage (including both the primary liquor and any secondary flavorings) may not exceed 2.5 ounces of spirituous alcohol.

Liquor stored and used as flavorings must be clearly labeled "flavoring."

## Wine Sales

Wine may be sold and served by the bottle or container in sizes not exceeding 1.5 liters (a Magnum) to tables of four or more.



For tables of less than four, the size of the bottle cannot be larger than 750 ml.

Wine may be sold and served by the glass or individual portion in quantities not exceeding 5 ounces.

An individual portion may be served to a patron in more than one glass (as a flight) as long as the total amount of wine in all of the glasses does not exceed the individual portion size of 5 ounces.



Wine may be poured by the glass from any size bottle or type of container and need not be dispensed through a dispensing device.

A patron who has purchased bottled wine may serve themselves or others (who are 21 or older) at the table.

## Hard Cider

Hard Cider is considered wine and may be sold and served as a wine except hard cider that has an ABV of 5% may only be sold in the original sealed container not exceeding 16 ounces.



## Beer (5% or less ABV)

Beer may be sold to an individual patron, only in a container that does not exceed one liter.



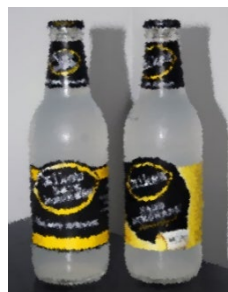
Beer may be sold and served in any size container, not exceeding 2 liters, and on draft. However, a pitcher (larger than one liter and up to two liters) may only be sold to parties of two or more.

Beer flights may be sold to a patron as long as the total amount of beer does not exceed 16 ounces.



## Flavored Malt Beverages & Heavy Beer

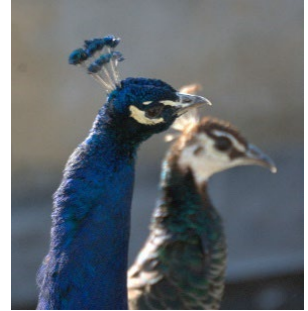
May be sold and served in an original container not exceeding one liter.





## LIMITATION ON TOTAL # OF DRINKS

- Each bar patron may only have two servings of an alcoholic beverage of any kind at a time.
- If two spirituous beverages are served at the same time, together the total spiritous liquor may only contain a total of 2.5 ounces of liquor (including flavorings).
- The second drink cannot be a shot of the same alcohol as the primary liquor in the first drink - no sidecars.



## NO MORE THAN TWO

## DISCOUNTING PRACTICES PROHIBITED



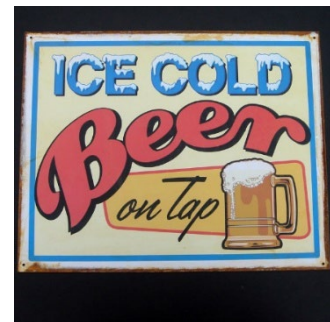
Alcoholic beverages may not be sold at a discount at any time.

Other discounting practices are prohibited that encourage the over-consumption of alcohol (i.e., happy hours, two-for-ones, all-you-can-drink for a set price, free alcohol, or selling at less than cost).

A bar licensee or employee may not purchase an alcoholic beverage for a patron.

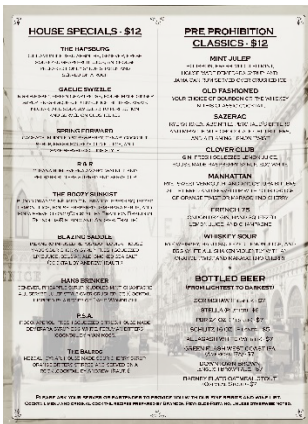
## ADVERTISING

Signs advertising the availability of alcoholic beverages may be displayed.



## PRICE LISTS

Licensees shall display in a prominent place on the premises a list of the types and brand names of spirituous liquor being served through its dispensing system. This requirement may be satisfied either by printing the list on an alcoholic beverage menu or by wall posting or both.



## FOOD AVAILABILITY

Bars shall have a variety of food, prepared and served in connection with dining accommodations, and available at all times when an alcoholic product is sold, offered for sale, furnished, or consumed on the licensed premises.



[illegible][illegible]

## ELECTRONIC AGE VERIFICATION – ID SCANNERS

The ID scanner requirement applies to all social bars whether or not they choose to restrict access by way of membership.

Bars must electronically verify age before anyone who appears to be 35 years of age or younger may gain admittance.

Bars must be able to read, print, or download the data in the ID scanners.

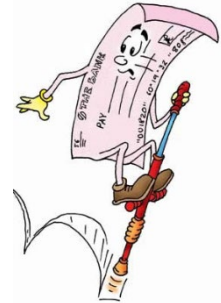
Owners/managers should have the knowledge and capability to produce the data upon request of a peace officer or an authorized representative of the DABS.

The DABS does not provide a list of approved scanners. A selected ID scanner must meet the requirements of Administrative Rule R82-4-101, which may be viewed on the DABS website.



## BAD CHECKS

The DABS may immediately suspend the license if it receives a bad check as payment for liquor, licensing or bond fees, fines and costs for violations, etc. A fee will also be assessed for bad checks and the licensee will be required to pay the full amount and the fee.



## PROHIBITED CONDUCT

- **LEWD ACTS:** Attire and sexually-oriented conduct of employees and entertainers that are considered contrary to public welfare and morals are prohibited on the premises.
- **GAMBLING:** NO paying to play a game of chance to win money or a prize. Licensees may not engage in or permit any form of gambling on the licensed premises including contests or gaming schemes that require risking something of value for a chance of a return like raffles, bingo, poker, etc.
- **ILLEGAL DRUGS** or drug paraphernalia:  
A retail licensee may not knowingly allow a person on the licensed premises to sell, distribute, possess, or use a controlled substance or use, deliver, or possess with the intent to deliver drug paraphernalia.

