Consuming an Alcoholic Beverage at Their Dining Table

Restaurant Licensee

A "Restaurant" is defined for us in the Alcoholic Beverage Control Act, 32B-1-102.

A restaurant means a business:

  (a) at which a variety of foods are prepared;
  (b) at which complete meals are served; and
  (c) that is engaged primarily in serving meals.

The intent, of course, is that restaurants look and act as one whose primary business is serving meals. The laws made around this premise are intended to help keep a restaurant looking and acting as a restaurant and that patrons who wish to also drink alcoholic beverages are still primarily engaged in dining.

One of those laws requires that a patron must only **consume their alcoholic beverages while seated at a table in the restaurant's dining areas.** (See 32B-6-205.2, 305.2, & 905.1)

Patrons should not get up and walk around the restaurant with their glass of cabernet while chatting with friends, have cocktails in the vestibule while waiting for their table, or play a game of pool with their favorite mug of cold beer in hand, etc. These activities are more in line with Utah's bar or tavern licenses.

If the patron has been seated at a temporary dispensing area (i.e. the restaurant bar) while they are waiting for a seat in the dining area, the restaurant patron may be served only one single portion of an alcoholic beverage *after* it has been determined the patron wishes to also dine in the restaurant.

If the patron does not finish their alcoholic beverage before moving to a seat in the dining area, a server (21 years of age or older) shall transport any unfinished portion of the drink to the patron's seat in the dining area. Another example might be If the patron should feel chilled on the patio or want to move to a new table for any reason, the server must also assist them by carrying the alcoholic beverage to their new table for them.

It is entirely possible to be both an excellent host and still effectively steer the customer to dine and drink comfortably at their table.