

§1063. Class A restaurants and Class A restaurant/lounges

1. Issuance of license. The bureau may issue licenses under this section for the sale of spirits, wine and malt liquor for on-premises consumption to Class A restaurants, as defined in section 2, subsection 15, paragraph R, and to Class A restaurant/lounges, as defined in section 2, subsection 15, paragraph R-1.

[PL 2021, c. 658, §180 (AMD).]

2. Income from sale of food requirement. At least a minimum amount of the gross annual income must be from the sale of food for each Class A restaurant or Class A restaurant/lounge. The income from the sale of food requirement is based on the population of the municipality in which the Class A restaurant or Class A restaurant/lounge is located. The bureau shall prorate the income from the sale of food requirement under this subsection for licensees that operate during only part of an annual license period.

A. In municipalities having a population of more than 50,000 persons:

(1) Year-round Class A restaurants or Class A restaurant/lounges must have a minimum gross annual income of \$50,000 per year from the sale of food to the public on their premises. [PL 1993, c. 730, §42 (AMD).]

B. In municipalities having a population of more than 30,000 but not more than 50,000 persons:

(1) Year-round Class A restaurants or Class A restaurant/lounges must have a minimum gross annual income of \$40,000 per year from the sale of food to the public on their premises. [PL 1993, c. 730, §42 (AMD).]

C. In municipalities having a population of more than 20,000 but not more than 30,000 persons:

(1) Year-round Class A restaurants or Class A restaurant/lounges must have a minimum gross annual income of \$30,000 per year from the sale of food to the public on their premises. [PL 1993, c. 730, §42 (AMD).]

D. In municipalities having a population of not more than 20,000 persons:

(1) Year-round Class A restaurants or Class A restaurant/lounges must have a minimum gross annual income of \$20,000 per year in sale of food to the public on their premises. [PL 1993, c. 730, §42 (AMD).]

[PL 2021, c. 658, §180 (AMD).]

3. Bureau to determine whether new applicant would probably meet sale of food requirement. The bureau may not issue an initial license to a Class A restaurant or a Class A restaurant/lounge unless it determines that the applicant would probably meet the requirements of subsection 2.

[PL 2021, c. 658, §180 (AMD).]

4. Proof of compliance with sale of food requirement for license renewal. The bureau may not renew a Class A restaurant's or a Class A restaurant/lounge's license unless the licensee furnishes the bureau with proof that the previous year's business met the requirements of subsection 2. If the bureau determines that the licensee has not satisfied the requirements of subsection 2, the bureau may renew the license for only one year, during which the licensee must meet the requirements of subsection 2 to be eligible for further license renewal.

[PL 2021, c. 658, §180 (AMD).]

5. Class A restaurant/lounges; minors.

[PL 1995, c. 25, §1 (RP).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1987, c. 342, §88 (AMD). PL 1993, c. 410, §ZZ18 (AMD). PL 1993, c. 730, §42 (AMD). PL 1995, c. 25, §1 (AMD). PL 2021, c. 658, §180 (AMD).

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