

Order 81-09/10
Given first reading on 10/5/09
Public Hearing & Passage: 10/19/09 9-0

JILL S. DUSON (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN COYNE (5)
JOHN M. ANTON (A/L)
DORY WAXMAN (A/L)
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 15 (Licenses and Permits)
RE: State Liquor Licenses**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. That Article III (State Liquor Licenses and Special Entertainment License) of the Portland City Code is hereby amended to read as follows:

**ARTICLE III. STATE LIQUOR LICENSES AND SPECIAL ENTERTAINMENT
LICENSES**

Division 1. Renewals.

Sec. 15-21. Renewal hearings for state liquor licenses, name changes, or special entertainment licenses.

The City License Administrator is authorized to approve the renewal of State liquor licenses, name changes, or special entertainment licenses, or any changes in license classification other than a change allowing the sale of spirituous alcohol, without holding a hearing, unless the License Administrator determines that hearing is necessary, or has received a request from a member of the City Council or a City official for a hearing on a specific application. Hearings shall be held by the City Council.

...

Division 2. Site Restriction

Sec. 15-31. Site restriction.

The city license examiner shall not accept an application for a state liquor license of any type for a business that will be located on premises that are the same, or substantially the same, as premises that held a business for which a liquor license of any type was not renewed, for a period of one hundred and eighty (180) days following the later of the date of the non-

renewal, or the date of a final decision in any appeal of the non-renewal. Any premises containing some but not all of the original premises shall be considered substantially the same as the original premises.

...

Division 3. Training Requirements

Sec. 15-41. Training requirements for individuals who serve alcohol.

Individuals who serve alcoholic beverages pursuant to a liquor license that allows the service of alcohol for consumption on the premises must complete a server training program certified by the state bureau of liquor enforcement no later than September 1, 2010, or within ninety (90) days of the commencement of his or her employment with a licensee if said employment begins within ninety (90) days of September 1, 2010 or thereafter.

Sec. 15-42. Record keeping.

Liquor licensees whose license allows the service of alcohol for consumption on the premises shall maintain on the licensed premises, or in the case of a caterer at the principle place of business, written records of the server training programs completed by individuals who serve alcohol and shall produce those records upon request by the city license administrator, a member of the Portland police department, or an agent of the state bureau of liquor enforcement.

Sec. 15-43. Failure to meet training requirements.

Failure to meet the training requirement imposed by Section 15-41 may result in the denial of a liquor license pursuant to 28-A M.R.S.A. § 653(2)(G).

2. *That Article IV (State Liquor Licenses/Site Restrictions) of the Portland City Code is hereby deleted in its entirety.*