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ORDINANCE AMENDMENT OF THE NEW HAVEN BOARD OF ALDERS TO THE CITY OF NEW HAVEN'S CODE OF ORDINANCES AMENDING CHAPTER 14, SECTION 14-6 TO UPDATE THE CITY'S JUICE BAR EVENT PROCESS.

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WHEREAS, a juice bar or similar facility is a separate and limited area within a premises that is operated under (A) a cafe permit or (B) a cafe permit for wine, beer and cider wherein nonalcoholic beverages are served to minors and wherein there is no sale, consumption, dispensing or presence of alcoholic liquor, as further defined under Section 30-22c(1) of the Connecticut General Statutes (CGS § 30-22c(1)); and

WHEREAS, certain establishments that hold a Café Permit are enabled by state statute to host “juice bars” or all ages nights involving the participation of those under 21 years of age; and

WHEREAS, juice bar events have often drawn large crowds both in and outside the premises of the establishments that operate them; and

WHEREAS, such juice bar events have contributed to recent incidents of violence and an increased need for police presence; and

WHEREAS, the City of New Haven is committed to nurturing a vibrant business sector while also maintaining safety for businesses, patrons, and community members; and

WHEREAS, pursuant to Public Act 26-100, the City is authorized to develop additional regulations surrounding the operation of juice bar events; and

WHEREAS, the City seeks to establish stronger regulations for existing operators of juice bar events to ensure safety for all community members.

NOW THEREFORE BE IT ORDAINED by the New Haven Board of Alders that section 14-6 of the Code of Ordinances of the City of New Haven, Connecticut is hereby amended to read as follows:

Sec. 14-6. – ~~Notification of~~ Non-alcoholic (juice bar) events by café owners.

(a) *Title.* This section shall be known as the city’s “juice bar ordinance”.

- (b) *Definition.* As used in this section, "juice bar or similar facility" means ~~a café, or an area within a café, in which nonalcoholic beverages are served to minors, in accordance with CGS Section 30-22c.~~ **separate and limited area within a premises that is operated under (A) a cafe permit issued under CGS Section 30-22a(c) or (B) a cafe permit for wine, beer and cider issued under CGS Section 30-22g, wherein nonalcoholic beverages are served to minors, as defined by CGS Section 30-1, and wherein there is no sale, consumption, dispensing or presence of alcoholic liquor, as further defined under CGS Section 30-22c(1); or wherein minors have brought their own nonalcoholic beverages onto said premises.**
- (c) **Juice bar events are hereby prohibited unless a Special Event Permit has been issued in accordance with this section and Chapter 17 of this code. To be eligible for a Special Event Permit for a juice bar event, an applicant must (A) hold a café permit for no less than ten consecutive years at the subject permit premises, (B) have no violations of this section or the Connecticut Liquor Control Act within two years prior to permit application, and (C) have no debt to the City of New Haven including fines, fees, taxes and bills for City services related to prior permits.**
- ~~(d) The holder of a café permit shall notify, in writing, or by facsimile, the chief of the New Haven Police Department in advance of specific dates and hours of any scheduled event at which the premises or a portion thereof will be used as a juice bar, or similar facility. Such notice shall be received not later than forty-eight hours prior to the scheduled event.~~

~~(e) The chief of the New Haven Police Department shall designate a law enforcement officer to attend any such scheduled event at the cost of such permit holder. The cost of said police personnel shall be paid by the café permit holder by sixty (60) days of invoice.~~

(d) *Notice Requirements.* The holder of a café permit issued under CGS Section 30-22a(c) or a café permit for wine, beer and cider issued under CGS Section 30-22g shall provide advance written notice to the chief of the New Haven Police Department of the specific dates and hours of any scheduled event at which such permit premises, or any portion thereof, will be used to operate a juice bar or similar facility. Such notice shall be sent (1) by certified mail, or by electronic mail to the designated electronic mail address for the chief of the New Haven Police Department, and (2) in a manner so that such notice is received by such chief law enforcement officer not less than five days prior to the date of such scheduled event, in accordance with CGS Section 30-22c. The chief of the New Haven Police Department, or their designee, may designate, in their sole discretion, one or more law enforcement officers to attend any such scheduled event at the cost of such permit holder. The cost of said police personnel shall be paid by the café permit holder within sixty (60) days of invoice. If, at any time prior to or during such scheduled event, the chief of the New Haven Police Department, or their designee, determines that (A) there is insufficient police capacity to properly and safely monitor the event or enforce any applicable law related to the event or the permit premises, or (B) the event may, or has, become a danger to public safety, such officer or designee may, in such officer's or

designee's sole discretion, reject such scheduled event or order such scheduled event to be terminated.

- (e) *Penalties.* ~~Failure of the holder of the café permit to adhere to all sections under this Section shall result in punishment by a fine of two hundred fifty dollars (\$250.00), or the maximum amount authorized by state statutes or this Code. Each day that the violation continues shall be deemed a separate offense.~~ Any holder of the café permit or agent or employee of such permittee who violates any provision of this section shall (1) (A) for a first offense, be fined not more than two thousand five-hundred dollars, (B) for a second offense, be fined not more than five thousand dollars, and (C) for a third or subsequent offense, be fined not more than ten thousand dollars, or the maximum amount authorized by state statutes or this Code. In addition, the city reserves the right to commence all appropriate legal action, including, but not limited to, collecting all debts owed to the city.
- (f) *Appeals.* The holder of the café permit may appeal the fines imposed under this section in accordance with Chapter 32 of this code, ~~to the board of police commissioners,~~ and shall file ~~his/her~~ their notice of appeal with the office of the chief administrative officer ("CAO").
- (g) Nothing in this section shall exempt the holder of a café permit from compliance with any other provision(s) in this code. The presence of alcoholic liquor, or the sale or dispensing to, or consumption of, alcoholic liquor by a minor at a juice bar or similar facility is prohibited, as set forth by the general statutes.
- (h) *Regulations.* The CAO shall have the right to develop regulations related to this section. The regulations may be amended from time to time, subject to the

approval from the ~~B~~board of ~~Aa~~ldermen and shall be made available to the public by the police department and/or the office of the CAO.

- (i) *Severability*. If any clause of this section is or becomes illegal, invalid or unenforceable because of present or future laws or any rule or regulations or by any governmental body, or entity, including any court of law, the remaining part of this ordinance shall not be affected thereby and shall be in full force and effect.