

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER

**AN ORDINANCE IN AMENDMENT OF CHAPTER 9 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED
“MISCELLANEOUS OFFENSES.”**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Chapter 9 of the Revised Ordinances of the City of East Providence, Rhode Island 1998, as amended, entitled “Miscellaneous Offenses is amended by adding thereto the following:

Sec. 9-1.2. Responsible Beverage Service Training.

A.) Every East Providence alcohol license holder shall ensure that:

1. At the time of issuance or renewal of all Class B, C and D alcohol licenses, or whenever there is a change of a license from one holder to another, the alcohol license holder, anyone serving in a supervisory capacity, employees involved with the sale or service of alcohol, individuals required to check ID’s and valet staff shall have been certified in an alcohol server training program that has been approved by the Department of Behavioral Healthcare, Developmental Disabilities and Hospitals within 60 days of being hired. At the time of issuance or renewal of a Class A license, only the alcohol license holder, anyone serving in a supervisory capacity and cashiers are required to be trained.
2. Licensees shall require employees described in subparagraph (A) (1) hereof to be recertified every three (3) years.
3. As a condition of an alcohol license renewal, each alcohol license holder must submit to the City Clerk, information verifying that all persons described in paragraph (A) (1) hereof and employed by the alcohol license holder for more than sixty days (60) have completed a state certified Alcohol Server Training program as defined herein within the last three (3) years. In the event that an establishment has a staff turnover of more than five employees who sell or serve alcohol as described in paragraph (A) (1), this information will need to be resubmitted. Failure of the alcohol license holder to comply with this section may result in a suspension or non-issuance of a license until proof of certification is provided.
4. All persons who have completed a state certified Alcohol Server Training as required must have their valid server permits on the premises when engaged in the

sale or service of alcoholic beverages. Failure to have a valid server permit on the premises will not constitute a violation, as long as proof of a valid permit is provided within 10 days.

B.) Any alcohol license holder who violates or fails to comply with any provision of the Responsible Beverage Service Training Ordinance shall be subjected to the following graduated penalties in accordance with state law by the East Providence City Council sitting as the licensing commission:

1. An initial written warning for a first violation or noncompliance.
2. An additional written warning for a second violation (within 3 years of the first violation).
3. A fine not to exceed \$250 for a third violation (within 3 years of the second violation).
4. License suspension for subsequent violations.

C.) Any server who violates or fails to comply with any provision of the Responsible Beverage Service Training Ordinance shall be subjected to the following graduated penalties in accordance with state law by the East Providence Municipal Court:

1. An initial written warning for a first violation or noncompliance.
2. An additional written warning for a second violations (within 3 years of the first violation).
3. Loss of certification for third violation (within three years of the first and second violations).

D.) Failure to have a valid server permit on the person of an individual required to be certified hereunder shall not constitute a violation, provided, proof of a valid permit is provided to the City Clerk's office within (10) days of the request.

E.) All fines collected by Municipal Court or the East Providence City Council sitting as the licensing commission hereunder shall be paid to the City of East Providence.

SECTION II. This ordinance took effect upon its second passage on June 17, 2014 and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.