

Restaurant's Guide to Serving Alcohol

Don't spend money installing a bar and buying supplies, until you know the laws first. Before you sign that lease, you need to know if you can serve alcohol at your restaurant! Knowing the liquor license laws and where to find help is critical. Learn how to spot an intoxicated guest and de-escalate the situation before it gets worse. Protect your staff and guests from belligerent drunks by dealing with the situation effectively. Before you serve alcohol in your restaurant, you should become familiar with the information provided in this guide!

Choosing to Sell Alcohol in your Restaurant



To serve or not to serve, that's the first question. If you're considering serving alcohol in your restaurant, let's first cover why you may not want to. When it comes to family restaurants, some parents may not want to bring their children somewhere alcohol is being served. Because alcohol affects everyone differently, there is an increased possibility of having to deal with unruly customers. If you choose to serve alcohol in your restaurant, there are also additional costs associated with equipment, supplies and specialized staff training.

On the other hand, your restaurant concept and target customer may require you to provide alcohol service. It can be a very lucrative and natural accompaniment to food service. Margins on alcohol are much higher than food. Additionally, many guests would rather get a drink at the bar than do nothing while waiting 20 minutes or more for a table to become available. This can help you retain walk-ins during busy dinner hours.

State Liquor Licenses

If you decide to sell alcohol, you'll need to obtain a state liquor license. Every state has its own rules, and there are local ordinances that will restrict sales of alcohol as well. This license will specify the hours which you can sell, and what types of alcohol. There may be other restrictions as well.

Before you start buying equipment to serve alcohol and building a bar, make sure you carefully plan with your local Alcohol Beverage Control (ABC) office. Getting a liquor license can be a long and expensive process so be aware.

Let's cover some of the qualifications for receiving a liquor license.



State Quota - Some states have a quota, and if it's already been reached, you'll have to be on a waiting list.

Contesting - Your license can be contested by locals if they are not happy with the idea of alcohol being served in their community. You'll have to go through further steps with the authorities if this happens, and you may not win the appeal.

Zoning and local ordinances - You may not be legally allowed to sell alcohol if there are local laws restricting the sales of alcohol given proximity to schools churches or other zoning considerations. Work with the city to get information before signing a lease if you're planning to serve alcohol in your restaurant.

Additional points:

- *You must have a valid Seller's Permit from your state before applying for a liquor license.*
- *Only individuals over 21 are legally allowed to sell alcohol.*
- *Managers or other staff members may be required to take classes or receive certification of responsible alcohol service.*
- *If you have a criminal record, it will be more difficult and perhaps impossible to obtain a liquor license.*

There are different classes of liquor licenses that pose various restrictions. Some licenses only allow you to sell "soft" alcohol like beer and wine, but because it is cheaper and easier to get a license that doesn't include "hard" liquor and cocktails, it could be appealing from a practical business perspective.

The process for applying for a liquor license is quite involved, and it's a back and forth conversation with multiple rounds of form-filing. Be prepared and understand that it's an involved process. Stick to it and don't get frustrated!

It's best to contact your state ABC early on to get put on the right track from the beginning.

Restaurant Liquor Service Laws

Laws regarding who is allowed to serve and bus alcohol vary from state to state. A minor can place an order for alcohol but may not be able to deliver it to the guest at all, or may only under certain restrictions. This is another legal area that the local Alcohol Control Board will help you navigate.



The only guests you can serve alcohol to are those over 21, no exceptions. Some states allow children to drink with a parent's permission on private property, but the laws vary widely. A restaurant certainly can not serve a child alcohol, regardless of the exceptions.

Besides the state laws, local ordinances and restrictions on alcoholic beverages apply. The only way to be sure you're in compliance is to contact the local ABC office. Before you lock yourself into a location for a restaurant business, you should know the restrictions on alcohol service and how it will affect your business.

Here is a list maintained by the Department of the Treasury, with links to the Alcohol Control Board for each US state, Canada, and Puerto Rico: <https://www.ttb.gov/wine/state-ABC.shtml#US>

Alcohol Certification



Depending on state laws, your staff may be required to complete a training program such as the National Restaurant Association's ServSafe Alcohol program and TIPS. This is a complete training program that helps your staff identify intoxicated patrons, check for valid IDs and follow the laws regarding the service of alcohol in restaurants. There are other programs as well that may or may not be approved by your state for certification purposes. Some states provide free resources for training staff on safe alcohol serving.

Some courses are complete programs that include a curriculum taught and administered by management, others are online courses and tests. Contact your local Alcohol Beverage Control office for Responsible Alcohol Service training programs that they recommend.

NRA's ServSafe program: <https://www.servsafe.com/ServSafe-Alcohol>
TIPS (Training and Intervention Procedures): <http://www.gettips.com/index.shtml>

Responsible Alcohol Service

Even if you are not required by state or local laws to provide training to staff for alcohol service you should consider doing so anyway. Training your staff to maintain professionalism and avoid issues with intoxicated guests helps maintain a high-quality guest experience for all patrons, helps staff avoid stressful or potentially violent interactions and reduces the chance of situations creating liability for the restaurant.

The key to responsible alcohol service is identifying intoxicated guests and avoiding over-serving. Hosts are the first line of defense, as they can help determine if guests have arrived already intoxicated. Care should be taken, however, as certain neurological or muscular disorders can present similar signs as intoxication, like slurred speech and stumbling. To avoid offending guests, judgement must be used.

Although alcohol affects everyone differently, a rule of thumb is to have guests who have ordered a third drink closely evaluated before serving another. You may want to require front-of-house staff to alert management so they can chat with the guests and personally evaluate their level of intoxication before allowing them to order further. Management may choose to further gauge the guest's fitness for driving and offer to arrange safe transport home by cab or a ride-sharing app like Uber or Lyft.

The human body takes on average an hour to process the alcohol from a single drink. This is taken to be a glass of wine, one beer, one shot or mixed drink. However, because the ability to process alcohol varies from person to person and different drinks have a different amount of alcohol, the ultimate tool is the judgment of bartenders, servers, and managers in the restaurant.

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Identifying Intoxicated Restaurant Guests

The consequences of not cutting off a patron when they are drunk can be drastic, even life or death. Intentional or negligent over serving of guests can put your business at risk for legal trouble, and you could lose that expensive, hard-earned liquor license.

Those patrons who create negative experiences for other guests need to be dealt with effectively. That's why it's important to know how to spot a customer who's had too much to drink. Look for people who seem to be coming back to the bar quickly, are being loud, interacting with multiple groups of guests who are likely strangers, have glassy eyes and decreased motor control.

Empower your bartenders, managers, and servers to use their best judgment and stand behind their decision if they cut off a guest. Once a guest is told they are cut off, honor that decision and remain firm. Not doing so will undermine your authority and credibility.



How to Cut off Drunk Customers



How you cut a guest off takes tact and skill. The goal is not to embarrass or create a negative experience for the intoxicated guest. While at the same time, it is important that they understand that you are serious.

One technique recommended for bartenders is to lean in to take the patron's order and if the bartender doesn't feel comfortable further serving the guest, close the tab, provide the check and give them a glass of water. Give a nice comment like "Thanks for coming in; we'll be happy to serve you again tomorrow."

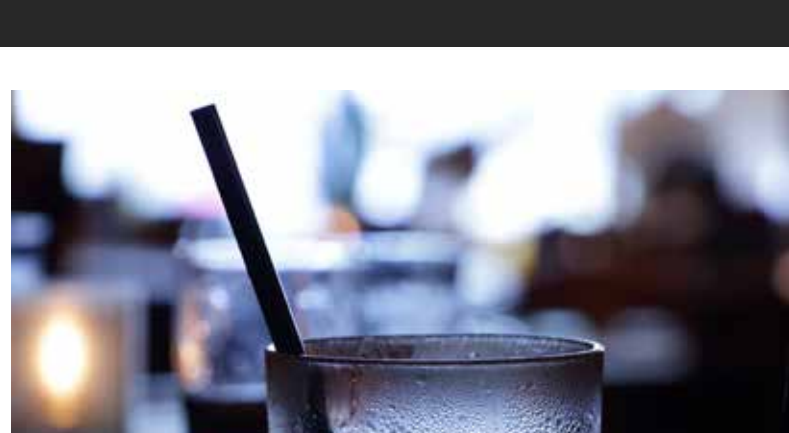
It's important that once a guest is cut off, all the staff are made aware so that they can't order any more.

When serving a table drinks, if the waitress or managers want to cut off a guest a similar technique can be used. Offer to give the guest a drink on the house, like a glass of soda or lemonade. Bring a large glass of water or an app on the house as another hint that they should fill up with something alcohol-free. Enlist the help of a sober friend and make sure they have a safe ride home.

Dealing with Drunk Patrons

It's important to attempt to remain confident when communicating with drunk guests. While intoxicated, adults regress to a child-like state and may be quick to anger if they perceive a confrontation. Let them know that you care about their situation and want them to have a safe night. Invite them to come back tomorrow for a "drink on the house." They may or may not remember it clear the invitation the next day, the point is to extend a kindness but makes it clear that they are not getting any more alcohol from you tonight.

Make sure everyone is on the same page, and the guest is not served by other team members.



If a guest does become confrontational, it's important not to ruin the night for your other guests. Unfortunately, a restaurant who sends a driver home intoxicated may be held liable for any injuries resulting. Take the customer outside, call a cab or have them contact a friend to pick them up. However, if a customer has become belligerent and violent, contacting law enforcement protects both you and the patron. Police will deal with the customer until they are sober, making sure they don't harm themselves or others.

No restaurant bar or nightclub owner wants to deal with drunk customers, but with the sale of alcohol on the premises, it's inevitable. If you choose to serve alcohol knowing the laws, and tips for dealing with drunk guests can help make all the difference, protecting your guests and your staff and your restaurant business.