

3-2-1: DEFINITIONS:

The following words and phrases used in this chapter shall have the following meaning unless a different meaning clearly appears from the context:

BEER, LIGHT BEER, MALT LIQUOR OR MALTED BEVERAGE: Any beverage containing not less than one-half of one percent (0.5%) of alcohol by weight, but not more than four percent (4%) of alcohol by volume, or three and two-tenths percent (3.2%) by weight, and which is obtained by the alcoholic fermentation of an infusion, or decoction, or of any malted grain, or of similar products, and may or may not contain hops or other vegetable products and includes ale, stout or porter.

CABARET: An establishment which allows its patrons to consume alcoholic beverages on the premises, and which permits their patrons to dance, or which entertain their patrons with music or entertainers who sing or dance.

LICENSED PREMISES: Any room, house, building structure or place occupied or used by any person licensed under this chapter for the purpose of selling beer; provided, that an applicant for a license must specifically designate in his application that a room or portion of a building (if there is business other than sale of food or sale or consumption of beer, and merchandise incidental to beer sales) where beer sales will be made, which room or portion of building must be separated from the balance of the business establishment or building by a substantial, solid, permanent wall, from floor to ceiling, composed of materials that will completely shut off all visibility and normal sound and having not more than one door in the interior walls connecting it with the balance of the building. Such room or other portion of the building so designated shall be deemed to be the licensed premises. It is unlawful for any person having a licensed premises where a wall is required as defined herein to construct a wall other than so defined.

LIQUOR: Alcohol, or any alcoholic, spirituous, vinous, fermented, malt or other liquid, or combinations of liquids, a part of which is spirituous, vinous or fermented, and all other drinks, or drinkable liquids that contain more than one-half of one percent (0.5%) of alcohol by volume and is suitable to use for beverage purposes. "Liquor" does not include any beverage defined as a beer, malt liquor or malted beverage that has an alcohol content of less than four percent (4%) by volume.

MINOR: Any person under the age of twenty one (21) years.

RETAILER: Any person engaged in the sale or distribution of beer or liquor to the consumer.

SELL OR TO SELL: To solicit, to receive an order for, to keep or expose for sale, to deliver for value or gratuity, to peddle, to possess with intent to sell, to traffic in, for any consideration promised or obtained, directly or indirectly, or under any pretext or by any means whatsoever, or procure or to be procured for any other person, and "sale", when so used, shall include every act of selling as above defined.

WHOLESALE: Any person other than a brewer or retailer engaged in the importation for sale or in the sale of beer or liquor in wholesale or jobbing quantities. (1995 Code § 12-2-1)