City of Bridgeport, Connecticut
Office of the City Clerk

To the City Council of the City of Bridgeport:

The Committee on Ordinances begs leave to report; and recommends for adoption the following resolution:

Item No. *15-24 Consent Calendar

WHEREAS, the City of Bridgeport recognizes the need to regulate certain establishments, including bottle clubs, BYOB clubs, and hookah lounges, to ensure public health, safety, and welfare; and

WHEREAS, unregulated hookah lounges and social clubs in the City have led to numerous issues, including violence, noise complaints, underage access to alcohol and tobacco, safety concerns, and disruptions to surrounding neighborhoods; and

WHEREAS, the absence of clear operational standards and permit requirements for such establishments has created enforcement challenges for city officials and law enforcement; and

WHEREAS, Chapter 5.88 establishes clear and enforceable regulations to address these issues, including mandatory permits, insurance liability requirements, age restrictions, and penalties for violations; and

WHEREAS, this ordinance provides the Bridgeport Police Department with the authority to regulate, enforce, and ensure compliance with these new standards, thereby promoting the safety and quality of life for all residents; and

WHEREAS, this ordinance is in the best interests of the City of Bridgeport and its residents by providing clarity and structure for the operation of these establishments, ensuring compliance with state and local laws, and addressing public health and safety concerns;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bridgeport, that, effective upon publication, the Municipal Code of Ordinances **Chapter 5.88 – NIGHTCLUBS** is hereby enacted, as follows:

Chapter 5.88 - NIGHTCLUBS

5.88.010 - Closing time; service or presence of alcoholic beverages.

No establishment operating under a nightclub permit shall remain open past the closing times established by Section 30-91(a) of the Connecticut General Statutes for other classes of liquor permits

5.88.020 - Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

"Alcohol, alcoholic liquors, alcoholic beverages, spirits, wine and beer" shall be defined as set forth in the Liquor Control Act, Section 30-1 et seq. of the Connecticut General Statutes.

"Bottle club" means any establishment operated for profit or pecuniary gain which is not licensed by the Connecticut Department of Consumer Protection and admits patrons upon payment of a fee, cover charge or membership fee and in which alcohol, alcoholic liquors, alcoholic beverages, spirits, wine or beer are not legally sold but where alcohol, alcoholic liquors, alcoholic beverages, spirits, wine or beer are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use or consumption. The term shall not include a licensee under the Liquor Control Act.

"Bring Your Own Bottle (BYOB) club" means any facility operated for profit or pecuniary gain which is not licensed by the Connecticut Department of Consumer Protection wherein patrons may consume alcohol, alcoholic liquors, alcoholic beverages, spirits, wine or beer which said patrons have carried or brought into the premises. The term shall not include a licensee under the Liquor Control Act or any facility which is rented for a limited period of time, not to exceed 10 hours, by an individual or organization for the purpose of a private party.

"Hookah" shall be defined as a waterpipe used to smoke "shisha", a combination of tobacco and fruit or vegetable that is heated and the smoke is filtered through water.

"Hookah Lounge" shall be defined as an establishment whose business operation primarily includes the smoking of tobacco or other substances through hookah pipes. No alcohol or food is allowed on the premises.

5.88.030 - Regulations on operation.

A. It shall be unlawful and a violation of this chapter for any person(s), corporation, partnership, firm or other entity to own, operate, lease, manage or control a bottle club or a BYOB club or a hookah lounge without having first obtained a valid nightclub permit issued by the Bridgeport Police Department.

B. It shall be unlawful and a violation of this chapter for any person(s), corporation, partnership, firm or other entity to own operate, lease, manage, or control a bottle club or a BYOB club or hookah lounge without maintaining in force and effect at all times broad-form general liability insurance coverage with limits of $1,000,000 per occurrence. Proof of such coverage shall be submitted with the initial application for a permit or any renewal.

C. It shall be unlawful and a violation of this chapter for any person(s), corporation, partnership, firm or other entity owning, operating, leasing, managing or controlling a bottle club or BYOB club or hookah lounge to allow entry thereto by persons under the age of 21 years.

D. It shall be unlawful and a violation of this chapter for any person(s), corporation, partnership, firm or other entity owning, operating, leasing, managing or controlling a bottle club or BYOB club or hookah lounge to allow, permit, encourage or assist persons under the age of 21 years in the possession and or consumption of alcoholic beverages, marijuana or tobacco products.

E. Any establishment operating under a nightclub permit must adhere to Chapter 8.80 – Noise Control Regulations.

5.88.040 Enforcement.

The Bridgeport Police Department is hereby authorized and directed to enforce the terms of this chapter. **The hours of operation shall follow General Statutes §30-91(a) and shall be adjusted in accordance with the same statute. Currently, the hours of operation are as follows**

A. Sunday, Monday, Tuesday, Wednesday and Thursday between the hours of nine o'clock a.m. and one o'clock a.m.

B. Friday and Saturday between the hours of nine o'clock a.m. and two o'clock a.m.

C. A fine of $250 shall be imposed for each violation of this chapter.

5.88.050 - Penalties for offenses.

A. Any person or entity committing any act(s) prohibited herein shall be in violation of this chapter.

B. A fine of $250 shall be imposed for ~~any~~**each** violation of this chapter.

C. Pursuant to General Statutes §51-164n, a violation of this chapter shall be an infraction.

D. In addition to the issuance of fines and infractions, the City of Bridgeport may bring a civil action in Connecticut Superior Court to enjoin the operation of any bottle club or BYOB club or Hookah Lounge operating in violation of this chapter.

E. Each day that a violation of this chapter continues shall constitute a separate offense, subject to separate fines and infractions. Fines and infractions shall be levied against the permittee, as well as, any other individual responsible for the violation.

5.88.060 Fees.

Applications for a nightclub permit shall be submitted to the Bridgeport Police Department along with a fee of $200. All payments shall be made by check or money order made payable to "City of Bridgeport."

5.88.070 - Permit requirements.

A. Each nightclub permit shall be valid for a period of one year and must be renewed annually with a fee of $200. It must be displayed inside the premises so as to be visible to the public.

B. To apply for a nightclub permit the following items are required:

(1) A government issued photo identification of the applicant or responsible party ("the permittee");

(2) A completed and notarized nightclub permit application.

(3) The name and twenty-four-hour-per-day contact information for the party or parties responsible for the applicant's business.

(4) The operating name or names of the applicant's business and the hours of operation.

(5) The name and contact information for the landlord or property owner of the proposed nightclub premises.

(6) If applicable, a photocopy of applicant's valid State of Connecticut and City of Bridgeport food facilities license with a classification of 3 or 4.

(7) Proof of insurance coverage, as required in § 5.88.030 of this chapter.

(8) A copy of any property deed or lease agreement regarding use of the premises for which the nightclub permit is sought.

(9) The hours of operation shall follow General Statutes §30-91(a) and shall be adjusted in accordance with the same statute. Currently, the hours of operation are as follows:

A. Sunday, Monday, Tuesday, Wednesday and Thursday between the hours of nine o'clock a.m. and one o'clock a.m.

B. Friday and Saturday between the hours of nine o'clock a.m. and two o'clock a.m.

C. Issuance or renewal of a permit is contingent on satisfactory inspections from the Office of the Fire Marshal and Health Department.

D. If any of material information changes with regard to the nightclub, a revised application must be filed with the Bridgeport Police Department.

5.88.080 - Grandfathering.

This chapter applies to any and all existing bottle club, BYOB club or hookah lounge establishments in the City of Bridgeport, which shall upon adoption of this chapter be fully bound by all provisions and regulations contained herein. All permits required by this chapter shall be obtained by any and all existing bottle club or BYOB club or hookah lounge establishments in the City of Bridgeport within 30 days of the adoption of this chapter.

5.88.090 - Revocation of permit; appeals.

A. **The Chief of Police shall provide an opportunity for a hearing regarding the revocation of a permit after written request for a hearing regarding said permit revocation.** The Chief of Police may, after providing opportunity for a hearing, revoke a nightclub permit for: serious or repeated violations of any of the requirements of this chapter; serious nuisance; violation of Connecticut State or Federal Criminal law; violation of the Public Health Code of the State of Connecticut; interference with the Police in the performance of their duties; or for cases where the permit has been obtained through nondisclosure, misrepresentation, or intentional misstatement of a material fact.

B. Prior to revocation, the Chief of Police shall notify the permittee, in writing, of the reason(s) for which the permit is subject to revocation, and that the permit shall be revoked at the end of ten days following service of such notice unless a written request for hearing is filed with the Chief of Police by the permittee within forty-eight (48) hours following service of such notice. If no request for hearing is filed within forty-eight (48) hours following service of such notice, the revocation of the license becomes final.

C. If a written request for hearing is filed with the Chief of Police by the permittee within forty-eight (48) hours following service of such notice, the Chief shall thereupon immediately examine into the merits of such revocation and may sustain or rescind such revocation. If the decision is to sustain revocation, a hearing shall be scheduled and conducted by the Chief of Police within 5 business days. Any oral testimony given at a hearing shall be reported verbatim, and the presiding officer shall make provision for sufficient copies of the transcript. The Chief shall make a final finding based upon the complete hearing record and shall sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the permittee by the Chief within ten working days of the hearing date.

D. During the process of appeal, the permit shall remain revoked. However, the Chief of Police may grant a stay upon a showing of good cause.

E. Service of notice. Any notice provided for in this article is properly served when it is delivered in-hand to the permittee, or when it is sent by registered or certified mail, return receipt requested, to the address of the permittee as reported on the permit application. A copy of the notice shall be filed in the records of the Chief of Police. **Additional notice will be provided via email and/or text message.**

F. Reinstatement of revoked licenses. After a period of six months from the date of revocation, a written application may be made for the issuance of a new nightclub permit, in accordance with Section 5.88.070 of this chapter.

5.88.100 - Summary closure.

Nothing in this chapter prohibits the City of Bridgeport from taking any emergency action for the summary closure of any property which holds a nightclub permit when it is necessary to avoid an immediate threat to public health, welfare and safety.

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5.88.110 Severability.

If any section, subsection, sentence, clause, phrase or portion of this chapter or its application to any person, property or circumstances is for any reason held invalid or unconstitutional by any court, such holding shall not be construed to affect the validity of any of the remaining provisions of this chapter or its distinct and independent provision from the remaining provisions, which shall be and remain in full force and effect. It is declared the legislative intent of this chapter that this article would have been adopted had such invalid or unconstitutional provision or its application had not been included herein.

RESPECTFULLY SUBMITTED,
THE COMMITTEE ON
ORDINANCES

Eneida L. Martinez, Co-Chair

Aikeem G. Boyd, Co-Chair

Rolanda Smith

Maria I. Valle

Ernest E. Newton, II

Jeanette Herron

Michelle A. Lyons

City Council Date: February 3, 2025

CITY OF BRIDGEPORT
OFFICE OF THE CITY ATTORNEY
999 Broad Street
Bridgeport, CT 06604-4328

Telephone (203) 576-7647
Facsimile (203)576-8252

CITY ATTORNEY
Tyisha S. Toms

DEPUTY CITY ATTORNEY
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS
Deborah M. Garskof
Michael C. Jankovsky
Richard G. Kascak, Jr.
Bruce L. Levin
James T. Maye
John R. Mitola
Lawrence A. Ouellette, Jr.
Raymond J. Rigat
Dina A. Scalo

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January 29, 2025

Honorable City Council of the City of Bridgeport
City Hall
45 Lyon Terrace
Bridgeport, CT 06604

Re: Proposed Amendment to the Municipal Code of Ordinances, Title 5 – Business Licenses and Regulations, amend to add NEW Chapter 5.88 – Nightclubs. [15-24]

Dear Honorable Councilpersons,

City councilmember Eneida L. Martinez proposes to amend Bridgeport Municipal Code, ***Title 5 – Business Licenses and Regulations, amend to add NEW Chapter 5.88 – Nightclubs. [15-24]***

The proposed ordinance will regulate nightclubs and hookah lounges.

This proposed ordinance was drafted with the assistance of Associate City Attorney Michael C. Jankovsky.

Kindly be advised that the ordinance, as proposed, is of proper and sufficient legal form for adoption as required by Chapter 5, Section 9 of the City Charter.

Kind regards,

James T. Maye,
Associate City Attorney

cc: Joseph P. Ganim, Mayor
Aidee Nieves, City Council President
Thomas Gaudett, CAO
Lydia Martinez, City Clerk
Frances Ortiz, Asst. City Clerk
Daniel Shamas, Chief of Staff
Tyisha S. Toms, City Attorney
Scott Burns, City Council, 130th District
Aikeem G. Boyd, Co-Chair
Eneida L. Martinez, Co-Chair
Michael C. Jankovsky, Associate City Attorney