



ORDINANCE

ENABLING THE SAMPLING OF BEER OR WINE AT FARMERS' MARKETS

CITY OF NASHUA

In the Year Two Thousand and Sixteen

Whereas, to promote farmers' markets in the city;

Whereas, to promote producers of beer and wine at the city's farmers' markets by allowing sampling; and

Whereas, to provide the written authorization required by RSA 179:44, II-a and to provide for the judicious administration of the licensure of vendors offering such samples in the city.

Now therefore, the City of Nashua ordains that Part II "General Legislation", Chapter 170 "Food-Service Establishments", of the Nashua Revised Ordinances as amended, is hereby further amended by adding a new section as follows:

"§ 170-3.1. Beer and wine samples at farmers' markets.

Wine manufacturers, beverage manufacturers, nano breweries, and brew pubs may provide samples for tasting to persons of legal drinking age at farmers' markets provided that they obtain a license as required by § 170-2 and § 170-3 of the City Code and provide the New Hampshire Liquor Commission with a copy of the license. Samples of beer and wine shall be restricted to clearly defined areas approved by the New Hampshire Liquor Commission and be limited to one four-ounce sample per label per person for any beer, specialty beer, or cider, and one two-ounce sample per label per person for any wine. The terms "beverage," "brew pub," and "farmers' markets" shall have the meanings as defined in RSA 175:1. The term "wine" shall mean "wine-fortified" and "wine-table" as defined in RSA 175:1. A "nano brewery" is a business that manufactures "beer" or "specialty beer," as those terms are defined in RSA 175:1, not exceeding 2,000 barrels annually for sale in any quantity."

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent necessary to effectuate this ordinance.

This legislation shall take effect upon passage, however no licenses issued hereunder shall be effective prior to August 2, 2016.

LEGISLATIVE YEAR 2016

ORDINANCE: O-16-014

PURPOSE: Enabling the sampling of beer or wine at farmers' markets

ENDORSERS: Alderman-at-Large Brian S. McCarthy
Alderman-at-Large Michael B. O'Brien

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: None.

ANALYSIS

This legislation permits the free sampling of beer or wine at farmers' markets with the issuance of a license from the Environmental Health Department. The licensees will be subject to all conditions and requirements established by ordinance, statute and the State Liquor Commission. The city's authority to allow such free samples is found in RSA 179:44, II-a effective August 2, 2016 (source Senate Bill 306 of the 2016 Session). The intent of the effective date of this legislation is to allow interested vendors to apply for a license prior to the state law's August 2nd effective date so that, if approved for a license, they can commence with free samples as of the state law's effective date of August 2, 2016.

Approved as to form: Office of Corporation Counsel

By: 

Date: 6/21/2016