

"Dry" and "Damp" Municipalities

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Issue

Provide information on “dry” and “damp” municipalities, including how a municipality may regulate the types of alcohol that may be sold. (This report updates [2009-R-0101](#).)

Summary

Although “dry” and “damp” municipalities are not defined in statute, a dry municipality is one where no alcohol can be sold and a damp municipality allows certain permittees to sell alcohol but not others (e.g., allowing restaurants but not package stores).

State law allows municipalities to decide whether the sale of alcoholic liquor (e.g., spirits, wine, and beer) will be permitted (1) in the municipality, and if so, (2) which permittee types may sell it ([CGS § 30-10](#)). State law allows municipalities to limit alcohol sales based on permit type but a municipality cannot regulate which products a permittee sells (e.g., only allowing a package store to sell wine).

Existing law only provides a procedure to make a municipality dry or damp through a ballot initiative. It would take a change in the law to allow a local governing board to make the determination without a ballot vote during an election.

Dry and Damp Municipalities

Connecticut does not have any dry municipalities. The last dry municipality, [Bridgewater](#), voted in 2014 to allow alcohol sales in restaurants, thus making it “damp.” Additionally, Wilton and Eastford are also “damp” because they restrict alcohol sales to certain permit types. [Wilton](#) allows

alcohol sales from restaurants and package stores, but not grocery stores. Eastford only allows restaurants to sell beer and wine (ordinance included below).

Local Option

State law allows municipalities to determine whether alcoholic liquor may be sold in their jurisdiction and if so, what categories of permittees to allow.

To prohibit alcohol sales under this authorization, at least 10% of a municipality's electors must sign a petition calling for a vote, and submit it to the town clerk at least 60 days before the date of any regular election (there is also a procedure for voting on the issue at a special election). A vote to ban the sale of alcohol takes effect on the first Monday of the month following the election. The ban lasts until a new vote is taken, so long as at least one year has elapsed between votes. The same procedure applies to petitions to allow sales in a dry municipality or additional permittee types in a municipality that allows alcohol sales ([CGS §§ 30-9 & -10](#)).

State law requires that the ballot label designation in such a vote must include:

1. "Shall the sale of alcoholic liquor (Permit for All Alcoholic Liquor) be allowed in ... (Name of town)?",
2. "Shall the sale of alcoholic liquor (Specified Permit or Permits) be allowed in ... (Name of town)?", or
3. "Shall the sale of alcoholic liquor be prohibited (No Permits) in ... (Name of town)?" ([CGS § 30-11](#)).

Electors may only vote for one designation. No permit may be issued for "all alcoholic liquor" unless the majority of votes are for "all alcoholic liquor." If there is no majority, the "all alcoholic liquor" votes are added to and counted with the votes for "specified permit" ([CGS § 30-11](#)).

A vote on alcohol sales in a municipality does not impact permit types that are already allowed unless the petition specifies the permit or requests "No Permits" ([CGS § 30-10](#)).

The Department of Consumer Protection, which regulates the sale of alcohol, cannot issue permits for the retail sale of alcoholic liquor (1) in municipalities that have voted themselves dry, or (2) where prohibited by a municipal zoning ordinance ([CGS § 30-44](#)).

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