

**OPINION**  
**46-168**

November 16, 1946            (OPINION)

INTOXICATING LIQUOR

RE: Separation of Bar from Restaurant

This office is in receipt of your letter of November 12, 1946, making inquiry as to our construction of the provision in the recently enacted liquor divorcement bill, which provides that: "It shall be further unlawful to maintain or allow any connecting archways or doorways connecting any establishment where alcoholic beverages are sold with any other place of business where there is sold or offered for sale any commodity other than tobacco, tobacco products, and soft drinks."

You state that a client of yours is in possession of a building with one front entrance in which he operates a restaurant on one side and the bar on the other side. The owner now proposes to install a solid wall running from the front to the rear completely separating the restaurant from the bar with no archways or openings in said proposed wall. He also proposes to cut an opening for a door in the front so that there will be two separate entrances, that is, one outside entrance leading to the restaurant and another separate entrance leading to the bar. The bar and restaurant will thus be entirely separate from each other and in order to go from the one into the other it will be necessary to go out into the street to enter the other. You have submitted a sketch showing the proposed construction of the solid wall and the separate entrances to the two establishments.

From the facts stated in your letter and the sketch attached thereto, it is the opinion of this office that the proposed arrangement will be a sufficient and substantial compliance with the provisions of the statute under consideration. The purpose of the statute is clear in that it provides for a complete separation between a place where the intoxicating liquors enumerated therein are sold from a place where any other commodity is sold or offered for sale other than tobacco, tobacco products, and soft drinks.

NELS G. JOHNSON

Attorney General