

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

**IN THE MATTER OF**

Ventura Restaurant  
Salvador Ventura, Permittee  
Ventura Restaurant & Bar LLC, Backer  
Permit # LCA.6448  
Docket No. 09-535

Case No. 2008-6310  
May 7, 2009

**MEMORANDUM OF DECISION**

This matter involves a café liquor permit issued to Ventura Restaurant, 1801 Barnum Avenue, Bridgeport, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on April 16, 2009. Salvador Ventura, permittee and member of the backer limited liability company, appeared.

The alleged violations are the result of a special investigation conducted by the department of Consumer Protection's Liquor Control Division. The following charges are alleged against the Respondent. It is alleged that on July 19, 2008, the Respondent violated (1) Sec. 30-90 of the Connecticut General Statutes by permitted three underage individuals to be in the barroom of this premises; (2) Sec. 30-22a of the Connecticut General Statutes by failing to have food available for service; (3) Sec. 30-6-A27(d) of the Regulations of Connecticut State Agencies by failing to maintain two years of liquor invoices on the premises; (4) Sec. 30-6-A24(g) of the Regulations of Connecticut State Agencies by failing to

maintain a supply of age statement forms on the premises; (5) Sec. 30-62a of the Connecticut General Statutes by utilizing an unapproved consumer bar.

We find the following facts. On July 19, 2008, at approximately 11:20 p.m., Agent Lanuza, of the Department of Consumer Protection's Liquor Control Division, entered Ventura Restaurant and conducted a special investigation. There was no food available at the time; the restaurant typically has food available between 1:30 p.m. and 10:00 p.m. daily. When asked to provide liquor invoices and age statement forms, Mr. Ventura could not do so, but located some liquor invoices and the age statement forms the following day. Three underage individuals were present in the barroom. It is the agents' usual practice to inquire if an underage patron is accompanied by his or her parent, guardian or spouse over the age of 21. However, Mr. Ventura testified that he was advised by a police officer who was present during the investigation that the underage individuals were at the restaurant with a parent or guardian, and there was not substantial evidence to the contrary. The additional consumer bar was not in use on the night of the inspection and has not been used since that date.

Charges 1, 2 and 4 are dismissed based upon the lack of substantial evidence. Administrative findings must be based upon substantial evidence. Nelseco Navigation Company v. Department of

Liquor Control, 34 Conn. App. 352, 354, 641 A.2d 827 (1994). The respondent is found in violation of charges 3 and 5 based upon his admission. Based upon the foregoing, we hereby impose a civil penalty of \$100.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY:

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Elisa A. Nahas, Esq.  
Designated Presiding Officer

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Angelo J. Faenza, Commissioner

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Stephen R. Somma, Commissioner

Parties:

Salvador Ventura, 200 Prince Street, Bridgeport, CT 06610

Non-Parties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106