

FRATERNAL GROUP LIQUOR LICENSE MEMO:

This is an overview guide for applying for a liquor license in the State of Ohio. Because there are many complex situations that may arise, fraternal groups should seek competent professional guidance from a local attorney. If the attorney hired has additional questions, he may contact_____.

DEFINITIONS:

Types of liquor permits:

D4 permit – Under Ohio Revised Code (RC) 4303.17 a D4 permit allows a club to sell beer or intoxicating liquor to its members only, in glass or container, for consumption on the premises where sold.

F Permit – an F permit is a temporary license for the sale of beer for a set period of time - no longer than 5 days.

F2 Permit – An F2 permit allows a club or non-profit organization to sell beer and intoxicating liquor until 1am at an event not to exceed 48 consecutive hours.

APPLICATIONS FOR A LIQUOR PERMIT:

Applications for all liquor permits may be found at the Division of Liquor Controls Office or may be found on their website. *Please refer to the links at the end of this document.*

RESTRICTIONS FOR ALL TYPES OF LIQUOR LICENSES

- 1) No Alcoholic beverage may be sold to any person under the age of 21.
- 2) You must be:
 - a. 18 to sell alcoholic beverages in sealed containers only.
 - b. 19 to handle intoxicating liquor in open containers when acting in the capacity of waiter or waitress
 - c. 21 to sell intoxicating across a bar (19 to sell beer across a bar)
- 3) No sales shall be made to intoxicated persons.
- 4) No permit holder shall give away any alcoholic beverages at any time in connection with their business.

- 5) No permit holder may accept from a wholesaler or distributor any gift, loan or thing of value except specified merchandising items.
- 6) No permit holder may promise preferential treatment to a manufacturer.
There are several other restrictions that may or may not apply to your situation. Please refer to the links at the end of this document.

SPECIFIC D4 PERMIT PROVISIONS – (RC 4303.17)

- 1) You must fill out a Surety Bond form that can be found at the Division of Liquor Control office or on the website.
- 2) The Surety Bond must be for \$1000.00.
- 3) The applicant (Organization) must be in existence for three years unless, it is a subsidiary of a national fraternal organization that has been in existence for three years or more.
- 4) Pay the fee of \$469.00
- 5) All elected officers must issue a statement certifying that the club is operated in the interest of the membership of a reputable organization, which is maintained by a dues paying membership,
- 6) This statement must also set forth the amount of initiation fee and yearly dues.
There are several other provisions that may or may not apply to your situation. Please refer to the links at the end of this document.

F PERMIT PROVISIONS (4303.20 – 4303.206)

- 1) An organization eligible for a temporary permit must be a non-profit organization with 10 or more members.
- 2) The organization may not be for profit.
- 3) The liquor application must notify the Chief peace officer of the political subdivision of the date, time, place and duration of the event
- 4) A form must be submitted from the owners of the real property where the event is taking place giving consent to the sale of alcoholic beverages.

- 5) The application must submit a description, including a drawing, of the area where alcoholic beverages will be sold.
- 6) Furnish a completed copy of the Ohio Dept. of taxation form noting the vendor's license number or identifying an exception by law of sales tax collection for the event.
- 7) All sales must stop by 1 a.m.
- 8) Permits must be placed in conspicuous places on the premises
- 9) No alcoholic beverages may be donated to a temporary permit holder unless allowed by law.
- 10) Temporary permit holders cannot sell an unlimited amount of drinks for a one-time admission price.
- 11) A holder of an F-2 permit may only be associated with the holder of a D4 permit and no other type of permit holder, if any.

There are several other provisions that may or may not apply to your situation. Please refer to the links at the end of this document.

PROVISIONS FOR BINGO OPERATORS

PLEASE REFER TO THE BINGO MEMO

LINKS:

<http://www.liquorcontrol.ohio.gov/liquor12c01.htm> - Division of Liquor Control's website where first time liquor permits applications can be downloaded.

<http://www.liquorcontrol.ohio.gov/4115pdf.pdf> - Division of Liquor Control's website where the temporary F liquor permits can be downloaded.

<http://www.liquorcontrol.ohio.gov/4138pdf.pdf> - Division of Liquor Control's website where the temporary F-2 liquor permits can be downloaded.

<http://www.liquorcontrol.ohio.gov/4171pdf.pdf> - Division of Liquor Control's website where the D4 liquor permits can be downloaded.

<http://www.liquorcontrol.ohio.gov/4050pdf.pdf> - Form where the Surety Bond can be downloaded.

<http://onlinedocs.andersonpublishing.com/oh/lpExt.dll?f=templates&fn=main-h.htm&cp=OAC> – This link will take you to Anderson's Publishing online. From there you will need to type in the search box the code section you wish to review.

RC 4303.20 – 4303.206 – Temporary permits

RC 4301.22, 4301.24 – Restrictions on Alcoholic beverages

AC 4301:1-1-43, 4301:1-1-44, 4301:1-1-45, 4301:1-1-46, 4301:1-1-50 – Restrictions on Alcoholic beverages

RC 4303.17 – D4 permits