EMERGENCY MEETING NOTICE

April 7, 2020
10:30 a.m.

LOCATION:

This meeting is being convened telephonically.

Join by phone:
   Dial In Information: +1 (614) 721-2972
   Conference ID: 562921993#

PURPOSE:

Pursuant to Ohio Revised Code Section 121.22(F) and 129.03(G), the Ohio Liquor Control Commission will hold a special meeting of an emergency nature.

The purpose of the meeting will be to review proposed language and pursue an emergency filing of Ohio Administrative Code 4301:1-1-13.

The Commission’s consideration of this rule and request for an emergency executive order from Governor DeWine falls under the emergency rule provisions in Section 119.03 of the Revised Code and the Commission’s broad rule making authority prescribed in Section 4301.03 of the Revised Code to adopt and promulgate rules, standards, requirements, and orders necessary to carry out chapters 4301 and 4303 of the Revised Code.

This rule reflects the need to ensure the public health and safety of all Ohio residents and to prevent the spread of COVID-19 within the state of Ohio. It shall apply to all liquor permit holders that are authorized for on-premises consumption, whether for general consumption or tasting samples, of beer or intoxicating liquor.

A. All permit holders are prohibited from selling or furnishing beer or intoxicating liquor for any such on-premises consumption.

B. Sale and delivery of beer, wine, and mixed beverages in the original packages for off-premises consumption is permitted by the holders of these permits to the extent permitted by law or rule.

C. Liquor permit holders authorized to sell for on-premises general consumption may sell and deliver beer, wine, mixed beverages or spirituous liquor by the individual drink for off-premises consumption, provided the following requirements are met:
   1. The permit holder may sell and deliver drinks that it prepares on the premises for a personal consumer for off-premises consumption;
   2. Spirituous liquor drinks cannot contain more than two ounces of spirituous liquor per container;
   3. All drinks sold must be in a closed container;
   4. Any sale under this paragraph shall include a food purchase from the premises;
   5. No more than two drinks may be sold per meal;
   6. The permit holder must comply with all applicable state tax laws; and
   7. The permit holder remains subject to all liquor laws and rules including hours of operation, minimum age requirements, and the prohibition against sales to intoxicated persons.

D. All purchases are subject to open container law upon leaving the permit premises.

E. All persons engaged in the sale of beer, wine, mixed beverages, and spirituous liquor for consumption off the premises where sold should reasonably attempt to ensure that all patrons and staff maintain a distance of six feet or greater when possible for the health and safety of all individuals engaged in the transaction.

Promulgated Under: 119.03
Statutory Authority: 4301.03
Rule Amplifies: 4301.03