

## 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