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Shareholder

- Alcohol Beverage Practice Focused on Tied House, Trade Practices, and Advertising and Promotions
- Over Twenty Years of Experience Representing Suppliers, Retailers, and Third Party Agencies



VIRTUAL



THE HOSPITALITY LAW
CONFERENCE SERIES 2.0

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Top Ten Things I Wish I Knew About My Liquor Licensed Premises

#10: I need to submit an update to the governing licensing authorities when I restructure, change an officer, or change a d/b/a name.

- Officer disclosures should match other state records
- Mismatched records will delay a transfer/sale
- Possible criminal penalties
- A DBA name which has not been approved may not be authorized to sell alcohol



#9: Special wet zoning restrictions may apply to our patios or other outside areas.

- Liquor license applications/diagrams must include the entire premises where you intend to sell/serve alcohol, including outside areas
- Municipal ordinances may restrict your ability to sell outside
- Special use/conditional use permits may be required



#8: My guests may not be able to self-serve their own alcohol beverages (growlers)!

- Regulated at the state level
- Issue: Whether a premises licensed for on-premises consumption may sell a refillable container for carry out
- Issue: Who can fill (Guest or Retailer Employee)?
- Sanitation requirements



#7: We can't automatically deliver alcohol just because we already deliver food.

- State and local regulation
- What kind of license do we have, and what are its privileges? → Is there another license we can apply for?
- Transportation of alcohol is a regulated activity
- Role of third parties



#6: We can't serve alcoholic drinks in any size container we want — there are limits!

- State and local regulation
- Large format vessels
- Serving restrictions



#5: We can't necessarily provide the same drink specials in every state where we operate.

- State and local regulation
- One size does not fit all
- Common restrictions: Below cost/free, combination offers, special groups, etc.



#4: Suppliers can't walk in here and start giving away gift cards to my employees.

- Tied house laws prohibit giving away unlawful things of value
- Laws apply “Directly and Indirectly”



#3: We might not be able to mix alcoholic beverages ourselves and keep them in batches in our own containers.

- Some states do not allow alcoholic beverages to be served from any container other than the original container
- Common restrictions: ingredient labels, expiration dates, written records
- Refilling Issue



#2: My 18 year old employees may not be able to perform all alcohol tasks in the licensed premises.

- State and local issue
- Ages required for taking orders, pouring, delivering, bussing
- Server permits



And, the number one thing I wish I knew about my liquor licensed premises is
#1: Suppliers can't pay us to plaster their logos and brand materials all over the premises!

- Tied house again!
- Suppliers may not pay for any advertising, display, or distribution service
- No slotting fees, no quid pro quos



Questions!



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