



Ohio Revised Code

Section 4303.021 A-1-A permit.

Effective: April 12, 2021

Legislation: House Bill 674 - 133rd General Assembly

(A) Permit A-1-A may be issued to the holder of an A-1, A-1c, A-2, A-2f, or A-3a permit to sell beer and any intoxicating liquor at retail, only by the individual drink in glass or from a container, provided that one of the following applies to the A-1-A permit premises:

(1) It is situated on the same parcel or tract of land as the related A-1, A-1c, A-2, A-2f, or A-3a manufacturing permit premises.

(2) It is separated from the parcel or tract of land on which is located the A-1, A-1c, A-2, A-2f, or A-3a manufacturing permit premises only by public streets or highways or by other lands owned by the holder of the A-1, A-1c, A-2, A-2f, or A-3a permit and used by the holder in connection with or in promotion of the holder's A-1, A-1c, A-2, A-2f, or A-3a permit business.

(3) In the case of an A-1, A-1c, A-2, or A-2f permit holder, it is situated on a parcel or tract of land that is not more than one-half mile from the A-1, A-1c, A-2, or A-2f manufacturing permit premises.

(4) In the case of an A-3a permit holder, it is situated on a parcel or tract of land that is not more than two hundred feet from the A-3a manufacturing permit premises.

(B) The fee for this permit is three thousand nine hundred six dollars.

(C)(1) The holder of an A-1-A permit may sell beer and any intoxicating liquor during the same hours as the holders of D-5 permits under this chapter or Chapter 4301. of the Revised Code or the rules of the liquor control commission. Except as provided in division (C)(2) of this section, the permit holder shall obtain a license as a retail food establishment or a food service operation pursuant to Chapter 3717. of the Revised Code and operate as a restaurant for purposes of this chapter.

(2) In lieu of obtaining a license as a retail food establishment or food service operation, an A-1c



permit holder may do either of the following:

(a) Serve unopened commercially prepackaged meals and nonalcoholic beverages, as well as beer and intoxicating liquor, under the exemption provided for under sections 3717.22 and 3717.42 of the Revised Code;

(b) Maintain a schedule with the owner or operator of a mobile retail food establishment or a mobile food service operation licensed under Chapter 3717. of the Revised Code to serve food to the A-1-A permit holder's customers. The schedule shall be in writing and agreed upon a week in advance. In addition, the A-1-A permit holder shall maintain the schedule for a minimum of one month.

(3) If a permit A-1-A is issued to the holder of an A-1 or A-1c permit, the A-1-A permit holder may sell beer at the A-1-A permit premises dispensed in containers with a capacity that does not exceed one gallon and not for consumption on the premises where sold if all of the following apply:

(a) The A-1-A permit premises is situated in the same municipal corporation or township as the related A-1 or A-1c manufacturing permit premises.

(b) The containers are sealed, marked, and transported in accordance with division (E) of section 4301.62 of the Revised Code.

(c) The containers have been cleaned immediately before being filled in accordance with rule 4301:1-1-28 of the Administrative Code.

(D) Except as otherwise provided in this section, the division of liquor control shall not issue a new A-1-A permit to the holder of an A-1, A-1c, A-2, A-2f, or A-3a permit unless the sale of beer and intoxicating liquor under class D permits is permitted in the precinct in which the A-1, A-1c, A-2, A-2f, or A-3a permit is located and, in the case of an A-2 or A-2f permit, unless the holder of the A-2 or A-2f permit manufactures or has a storage capacity of at least twenty-five thousand gallons of wine per year. The immediately preceding sentence does not prohibit the issuance of an A-1-A permit to an applicant for such a permit who is the holder of an A-1 permit and whose application was filed with the division of liquor control before June 1, 1994. The liquor control commission shall not restrict the number of A-1-A permits which may be located within a precinct.