



Ohio Revised Code

Section 4303.186 D-9 liquor permit.

Effective: April 3, 2023

Legislation: Senate Bill 63 - 134th General Assembly

(A) As used in this section, "disposable container" means a receptacle that is disposable and that has a capacity to hold not more than either of the following:

- (1) Sixteen ounces of beer;
- (2) Twelve ounces of wine or mixed beverage.

"Disposable container" includes a bottle or can of beer, wine, or mixed beverage produced by the original manufacturer.

(B) The division of liquor control may issue a D-9 permit to an establishment to sell beer, wine, or mixed beverages in disposable containers at retail for on-premises consumption. The establishment shall make such sales for not more than one hundred five calendar days per year. The days need not be consecutive. The owner of the establishment shall do both of the following:

- (1) Ensure that a mobile retail food establishment or a mobile food service operation licensed under Chapter 3717. of the Revised Code serves food on the premises of the D-9 permit holder during the same hours that beer, wine, or mixed beverages are sold by the D-9 permit holder;
- (2) Sell beer, wine, or mixed beverages 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.

(C) The division only may issue a D-9 permit if the premises for which the D-9 permit is sought is in compliance with all of the following:

- (1) The premises is located on not less than ninety acres of land.
- (2) The premises has a total fixed seating capacity for not less than two thousand people.



(3) The premises is located in a precinct, or at a particular location in a precinct, in which the sale of beer, wine, and mixed beverages is otherwise permitted by law.

(4) The premises primarily hosts automobile sports, including drag racing.

(5) The premises is located in the unincorporated area of a township with a population of less than fifteen thousand and in a county with a population of less than one hundred thirty thousand. For purposes of division (C)(5) of this section, the population of a township and county is considered to be the population shown by the most recent regular federal decennial census.

(D) In addition, the premises of a D-9 permit holder need not:

(1) Have an adequate supply of hot and cold running water from a source satisfactory to the local board of health of the health district in which that premises is located;

(2) Have separate toilet facilities for men and women;

(3) Have water-flushed toilets. In place of water-flushed toilets, the D-9 permit holder shall install portable toilets on the premises. The portable toilets shall be installed in accordance with the local board of health of the health district in which the premises is located.

(4) Have a wash bowl with running water for each portable toilet. In place of a wash bowl with running water, the D-9 permit holder shall install hand sanitizer stations outside each portable toilet.

(E) The fee for the D-9 permit is five hundred dollars.