



FAQs for Liquor Permit Holders Amid COVID-19

The Division of Liquor Control would like to share some information for liquor permit holders regarding the Ohio Department of Health Director's Orders. The first Order required liquor permit holders to cease selling alcohol beverages for on-premises consumption. The second Order restricted the sale of alcohol beverages in certain instances. On April 30, 2020, Ohio Department of Health Director Doctor Amy Acton signed the [Stay Safe Ohio Order](#). This order extends the previous orders order and incorporates the opening of certain businesses and services as part of the Responsible Restart Ohio plan. This order remains in effect until 11:59 p.m. on May 29, 2020, unless the Director rescinds or modifies that order. These Orders are in effect until further notice in order to curb the spread of COVID-19, commonly referred to as the coronavirus.

What operating procedures are required to ensure the safety of my employees and customers?

- The Responsible RestartOhio Order lays out these minimum steps for businesses to follow when resuming operations:
 1. Designate 6-foot distances for employees and customers. Utilize barriers if applicable.
 2. Make hand sanitizer and sanitizing products readily available for employees and customers.
 3. Must require all employees to wear facial covering except where prohibited by law or exceptions exists such as a health condition, the employee is working alone, or it creates an unsafe environment.
 4. Implement separate operating hours for elderly and vulnerable customers when possible; and
 5. Offer online and remote access of facility hours/operations and inform customers on how best to reach the business.

You can read the full Responsible RestartOhio guidance and recommended best practices [here](#).

What is the one-time Liquor Rebate Program?

- The one-time Liquor Rebate Program is designed to help Ohio bars and restaurants as they navigate reopening in the coming weeks. Eligible permit holders can receive a \$500 rebate to purchase high proof spirituous liquor at their assigned wholesale Contract Liquor Agency. JobsOhio and the Ohio Department of Commerce are working together to assist businesses' efforts to maintain operations as a result of the health crisis. For more information and to register for the program, click [here](#).

Is my license fee due mid-May for the June renewal for District 2/the western portion of the state?

- No. The May 18, 2020 filing deadline for the June 1 renewal period is being waived at this time. A new filing deadline will be established when the Director of the Ohio Department of Health lifts her order.

Who is eligible for the Liquor Permit Renewal Extension?

- Class C and D Liquor permit holders are eligible in District 2/the western portion of the state who have on-premises general consumption permits due for renewal on June 1.

What if I already submitted my renewal?

- The Division will contact the permit holder to determine if they'd like to proceed with their renewal.

Can Contract Liquor Agencies sell high proof spirituous liquor to non-Ohio residents?

- Yes. An Order that previously limited the in-person purchasing of high proof spirituous liquor to customers who are not Ohio residents in Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, and Belmont counties was lifted on May 29, 2020.

Can I sell alcohol drinks for off-premises consumption?

The Ohio Liquor Control Commission passed an emergency rule on April 7, 2020, that allows all establishments with existing on-premises general consumption liquor permit privileges to sell and deliver for off-premises consumption beer, wine, mixed beverages, or spirituous liquor by the individual drink, given the following requirements are met:

- Patrons can purchase two drinks per meal.
- Drinks must be served in a closed container and a food order must be placed in conjunction with the drink order.
- Establishments who take advantage of this emergency rule must have a food service license issued by the Department of Health at the local level.
- Drinks cannot contain more than two ounces of spirituous liquor per container.
- All Ohio liquor laws and rules apply including hours of operation, minimum age requirements, and the prohibition against sales to intoxicated persons.
- All sales are applicable to state tax laws; and
- All drinks purchased are subject to open container law upon leaving the premises

This rule is in effect for 120 days, unless rescinded earlier by the Liquor Control Commission.

Can I return spirituous liquor to an Ohio Contract Liquor Agency?

- Yes. The Division has outlined a process to ease the burden on permit holders and allow returns of unopened spirituous liquor. This courtesy also extends to those who may have obtained a temporary permit (F-2) for any now-cancelled events scheduled between March 12 and May 1. If large gatherings are banned beyond May 1, the Division will continue to allow those F-2 permit holders to return unopened product purchased for the event. Permit holders should fill out [this form](#) and then take the form and the product back to the Agency where the product was purchased. Refunds will be processed by the Division and issued by JobsOhio Beverage System within several days of the return.

Can I return beer/wine to a distributor?

- The Division has approved the pick-up and future replacement of beer, wine, or mixed beverages from a retail permit holder, at the Distributor's discretion. The product must be in its original sealed packaging and must have been purchased after February 15 for a specific event (i.e. Opening Day, St. Patrick's Day, NCAA, etc). You must reorder the

same amount of product that you returned. For example, if you return 5 kegs of beer to a distributor, upon re-opening, you must buy 5 kegs of beer from that same distributor.

- This temporary alteration in the return policy is also subject to the federal Tax and Trade Bureau (TTB) restriction. It is our understanding that TTB views only products purchased for events cancelled due to the COVID-19 crisis to be exempt from the normal restrictions on consignment sales. TTB has stressed the voluntary nature of accepting these returns.
- Future guidance from TTB may also be forthcoming on this matter.

Can I sell bottles of spirituous liquor to patrons?

- No. Retail liquor establishments cannot sell any bottles of spirituous liquor, including 50mL bottles, to patrons. The ONLY sale permitted for off-premises consumption is under the requirements in the Ohio Liquor Control Commission's emergency rule. (see requirement above)

Can I legally deliver drinks to go?

- Up to two drinks per meal may be delivered under the requirements in the Ohio Liquor Control Commission's emergency rule. The permit holder or their employee may deliver that product.
- Permit holders may continue selling beer, wine, and prepackaged mixed beverages in their original sealed containers for off-premises consumption in accordance with the privileges granted under their permit. The permit holder or their employee may deliver that product.
- H-class permit holders may also deliver alcohol beverage products but cannot sell them.
- The permit holder is responsible for verifying that they don't sell to underage persons.
- Private clubs issued the D-4 liquor permit may sell and deliver drinks for off-premises consumption to their members only under the Ohio Liquor Control Commission's emergency rule. (see requirement above)

Are D-4 permits and gentlemen's clubs included with the shutdown since clubs were not mentioned?

- Yes. All liquor permits, including D-4 permits, are included in the Director of Health's Order to cease sales of alcohol beverages for on-premises consumption.

Are manufacturing permits and tasting rooms included with the shutdown?

- Yes. All liquor permits, including manufacturing permits, are included in the Director of Health's Order to cease sales of alcohol beverages for on-premises consumption.

Are patrons allowed inside the premises to pick up food or alcohol or utilize curbside/delivery?

- Yes. Customers may pick up their food or alcohol on-premises, at the drive-thru, or through delivery. Again, D-4 permit holders can only sell and deliver drinks for off-premises consumption to their members under the Ohio Liquor Control Commission's emergency rule. (see requirement above)

What are the penalties for the sale of alcohol for on-premises consumption and who enforces if the Order is not followed?

- An Order was issued prohibiting the sale of beer, wine, mixed beverages, or spirituous liquor for on-premises consumption and restricting all alcohol sales to those in closed container for off-premises consumption, effective 9 p.m. March 15.

Permit holders should know such sales are now prohibited and failure to comply with the Order may subject a permit holder to administrative action against their liquor permit, which could include an emergency order of suspension, citation, rejection of a renewal or transfer application, or revocation.

Who do I contact for complaints regarding bars and restaurants for non-compliance?

- The Division's Investigative Service Section is coordinating with the Ohio Department of Public Safety's Ohio Investigative Unit to investigate any violations of this order. If you have any questions regarding this order, or would like to report a violation, you may contact the following individuals:
 - Contact information for the Division of Liquor Control's Investigative Services Supervisors and Legal Counsel:
 - Frank Chung, Investigative Services Eastern Ohio Region, 614-546-8492, Frank.chung@com.state.oh.us
 - Shaun Powers, Investigative Services Western Ohio Region, 614-546-5658, Shaun.powers@com.state.oh.us
 - Andre Smith, Investigative Services Eastern and Western Regions, 614-419-9876, Andre.Smith@com.state.oh.us
 - Dominic Panzera, Legal Counsel, Ohio Division of Liquor Control, 614-644-2489, Dominic.Panzera@com.state.oh.us
 - Contact information for the Department of Public Safety's Ohio Investigative Unit District Supervisors and Legal Counsel:
 - George Pitre, Akron AIC, 330-497-5411, gjpitre@dps.ohio.gov
 - Erik Lockhart, Athens AIC, 740-357-5840, eglockhart@dps.ohio.gov
 - Adam Johnson, Cincinnati AIC, 513-942-0610, asjohnson@dps.ohio.gov
 - Greg Croft, Cleveland AIC, 216-898-1870, gacroft@dps.ohio.gov
 - Sam Love, Columbus AIC, 614-644-2413, hslove@dps.ohio.gov
 - Sawn Tatter, Toledo AIC, 419-866-9907, STatter@dps.ohio.gov
 - Michelle Thourot, Central Office AIC, 614-644-2415, mlthourot@dps.ohio.gov
 - Anne Vitale, Associate Legal Counsel, Department of Public Safety, 614-387-0414, apvitale@dps.ohio.gov

Who should I call to get answers about the Mass Gathering Health Order?

- [Contact your local Health Department.](#)
- Call the COVID-19 hotline at 833-427-5634 or 833-4-ASK ODH.
- Call the Governor's Constituent Services line at 614-466-3555

All Ohio liquor laws and rules are available via [the Division of Liquor Control website](#) under "Resources."

As a reminder, many of the Division of Liquor Control staff will be teleworking during this public health emergency. The Division asks for your patience as staff respond to your needs through

Ohio Department of Commerce

the remote network. As always, you may also email web.liqr@com.state.oh.us with any questions.

**** PLEASE NOTE: This document is subject to change as new information becomes available****

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