

LICENSEE BULLETIN

Vol 56 No 3

VIRGINIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Types of Retail Wine, Beer and Mixed Beverage Licenses Issued by the Board.

In the absence of valid objections, the following types of retail wine, beer and mixed beverage licenses may be issued for the various establishments or persons shown:

a. Wine and Beer On Premises

1. Hotels/Resort Complex
2. Restaurants
3. Clubs
4. Boats
5. Dining, Buffet and Club Cars
6. Air Carriers
7. Hospitals
8. Food Concessions at Coliseums, Stadia, Outdoor Performing Arts Amphitheaters and Exhibition or Exposition Halls

b. Beer On Premises

1. Hotels
2. Restaurants
3. Clubs
4. Boats
5. Dining, Buffet and Club Cars
6. Grocery Stores*
7. Food Concessions at Coliseums, Stadia Outdoor Performing Arts Amphitheaters and Exhibition or Exposition Halls

c. Wine and Beer Off Premises

1. Grocery Stores
2. Delicatessens
3. Drugstores
4. Convenience Grocery
5. Gourmet Shop
6. Gift Shop

d. Winery Off Premises

Licensed wineries

e. Beer Off Premises

Same as (c) above, except Convenience Grocery Stores; also Marina Stores

f. Wine and Beer On and Off Premises

Same as (a), above, except Hospitals and Food Concessions

g. Beer On and Off Premises

Same as (b), above, except Food Concessions

h. Wine and Beer On and Beer Off Premises

Same as (a), above, except Hospitals and Food Concessions

- i. **Wine and Beer Off and Beer On Premises**
Same as Beer **On** Premises, except Food Concessions, provided there is operated in conjunction therewith a grocery store, delicatessen or drugstore as defined below.
- j. **Banquet**
Persons in charge of banquets or special events.
- k. **Banquet Facility**
 - 1. Volunteer Fire Departments
 - 2. Volunteer Rescue Squads
- 1. **Gourmet Shop**
Wine and beer off premises only.
- m. **Gourmet Brewing Shop**
May sell ingredients and rent facilities for manufacturing, fermenting and bottling wine or beer.
- n. **Mixed Beverages**
 - 1. Restaurants
 - 2. Clubs/Club Events
 - 3. Hotels/Resort Complex
 - 4. Carriers
 - 5. Caterers
 - 6. Special Events
 - 7. Annual Mixed Beverage Special Events
- o. **Bed and Breakfast**
May serve wine, beer or mixed beverages to overnight lodgers for on premises consumption.
- p. **Museum**
Allows serving and/or consumption of lawfully acquired alcoholic beverages upon its premises. Alcoholic beverages may not be sold or charged for in any way.
- r. **Tasting Licenses**
May sale or give samples of wine, beer or mixed beverages at events held by the licensee.
- s. **Equine Sporting Events** Allows the consumption of lawfully acquired alcoholic beverages by patrons during such events. Alcoholic beverages may not be sold or charged for in any way.

Set forth below are definitions used by the Board in connection with licensing of the more common types of establishments mentioned above:

- a. **CLUB** .A private, nonprofit corporation or association which is the owner, lessee or occupant of an establishment operated solely for objects of a national, social, patriotic, political or athletic nature or the like, but not for pecuniary gain, the advantages of which belong to all the members. A Mixed Beverage Restaurant License may be issued to any restaurant which is located on the premises of and operated by a private club exclusively for its members and their guests and which does not restrict its membership on the basis of race, color, creed, national origin or sex, if the locality has not held a local referendum authorizing the sale of mixed beverages in the locality.

- b. **DELICATESSEN**
 - 1. For Wine and Beer or Beer - An establishment which sells a variety of prepared foods or foods requiring little preparation such as cheeses, salads, cooked meats and related condiments.
- c. **STORE** . For Wine and Beer or Beer . An establishment selling medicines prepared by a registered pharmacist according to prescription and other medicines and articles of home and general use.
- d. **GROCERY STORE** .
 - 1. For Wine and/or Beer . An establishment which sells edible items intended for human consumption, including a variety of staple foodstuffs used in the preparation of meals.
- e. **HOTEL -** A duly licensed establishment provided with special space and accommodation where, in consideration of parent, food and lodging are habitually furnished to persons, and which has four or more bedrooms. A mixed beverage restaurant license may be granted to a restaurant located on the premises of and in a hotel or motel with not less than 4 permanent bedrooms where food and beverage services are customarily provided by the restaurant in bedrooms and other private rooms of such hotel or motel.
- f. **MARINA STORE** .An establishment operated by the owner of a marina which sells general food and nautical and fishing supplies.
- g. **RESTAURANT** .
 - 1. For Wine and Beer .A bona fide dining establishment habitually selling meals with entrees and other food prepared on the premises.
 - 2. For Beer Only .An establishment habitually selling food prepared on the premises.
 - 3. Mixed Beverage -A bona fide, full-service, restaurant where meals with substantial entrees, cooked or prepared on the premises, are habitually sold to persons.
- h. **GOURMET SHOP** .An establishment provided with adequate shelving and storage facilities which sells products such as cheeses and gourmet foods.
- i. **CONVENIENCE GROCERY STORE** . An establishment which has an enclosed room in a permanent structure where stock is displayed and offered for sale, which sells edible items intended for human consumption consisting of a variety of such items of the type normally sold in grocery stores, and does not sell any petroleum related service with the sale of petroleum.
- j. **GIFT SHOP**: An establishment which sells gift items and authorizes the sale of wine and beer unchilled within the interior of the gift shop in closed containers.

- k. **GOURMET BREWING SHOP**: An establishment which allows the sale of ingredients for making wine or brewing beer, including packaging, and to rent the facilities for manufacturing, fermenting, and bottling such wine or beer for off-premises consumption.

- I. **BANQUET FACILITY** .A fire and/or rescue squad station regularly occupied by volunteer fire department and/or rescue squad duly recognized by the governing body of the city, county or town in which it is located. Such license authorizes only consumption (not purchases/sales) of legally acquired alcoholic beverages by persons in attendance at a function which would qualify for a banquet license. The fire department or rescue squad may also utilize its banquet facility license at other facilities provided such other facilities are occupied and-under the control of the fire department or rescue squad while the privileges of its license are being exercised therein.

- m. **EDIBLE ITEMS** .As used in the definitions of grocery store for wine and beer and beer only and for the convenience grocery store, this term means those items normally used in the preparation of meals, including liquids, and must include a variety (at least five) of representative items for each of these basis food groups: Dairy, Meat, Grain, Vegetables and Fruit.

- n. **CATERER** .Person in the business of providing food and beverages to persons for services at private gatherings or at special events.

- o. **BED AND BREAKFAST** .An establishment with no more than fifteen bedrooms offering at least one meal per day to each person to whom overnight lodging is provided. The licensee may serve alcoholic beverages in dining rooms and other rooms to overnight lodgers, for on premises consumption and without regard to receipts from the sale of food.

- p. **MUSEUM** .An establishment exempt from taxation under the Internal Revenue Code (§ 501(c) (3)) and allows the serving and/or consumption of lawfully acquired alcoholic beverages on the premises of the museum by bona fide members and guests. Alcoholic beverages may not be sold or charged for in any way.

- q. **TASTING LICENSES**: Authorizes the selling or giving samples of alcoholic beverages in designated areas at events. This license is issued for the purpose of featuring and educating the public about the alcoholic beverages being tasted and is limited to four (4) licenses per year.

- r. **EQUINE SPORTING EVENTS**: Authorizes organizations holding equestrian, hunt and steeplechase events to permit the consumption of lawfully acquired alcoholic beverages on the premises during such events. Alcoholic beverages shall not be sold or charged for in any way.

It is suggested that the local A.B.C. Regional Office or the local Special Agent be contacted for more specific information relative to the minimum qualification guidelines for the various types of establishments.

SPECIAL OCCUPATIONAL TAX. There is a **Special Occupational Tax administered by the Bureau of Alcohol, Tobacco and Firearms (BATF)**, United States Department of Treasury.

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| Retail Wine, Beer and Mixed Beverages Licensees | \$250.00 |
| Wholesale Wine and Beer Distributors | \$500.00 |
| Breweries | \$1 000.00/ \$500.00 * |
| Distilled Spirits Plants | \$1 000.00/ \$500.00 * |
| Farm Wineries and Wineries | \$1000. 00/ \$500. 00* |

* The \$500.00 rate is for businesses with gross sales less than \$500,000.00.

This is an annual federal tax for which the **Virginia Alcoholic Beverage Control Board has no responsibility**, if you have any questions, contact the BATF office nearest you:

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|---------|--------------|
| Norfolk | Richmond |
| Roanoke | Falls Church |

This Licensee Bulletin supersedes Licensee Bulletin 54-3, dated December 30, 1988, addressed to the same persons on the same subject.

The last document of this nature was Licensee Bulletin 56-2, dated December 31, 1990, addressed to Each Retail Alcoholic Beverage or 3.2 Beverage Licensee, Except Licensed Clubs. Subject: Instructions for Operating Under A Retail Alcoholic Beverage Or 3.2 Beverage License.

VIRGINIA DEPARTMENT OF
ALCOHOLIC BEVERAGE CONTROL

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