

4301:1-1-13 Emergency suspension of sales of beer, wine, mixed beverages, and spirituous liquor for on-premises consumption. Expansion of sales for off-premises consumption.

This rule reflects the need to ensure the public health and safety of all Ohio residents and to prevent the spread of COVID-19 within the state of Ohio. It shall apply to all liquor permit holders that are authorized for on-premises consumption, whether for general consumption or tasting samples, of beer or intoxicating liquor.

A. All permit holders are prohibited from selling or furnishing beer or intoxicating liquor for any such on-premises consumption.

B. Sale and delivery of beer, wine, and mixed beverages in the original packages for off-premises consumption is permitted by the holders of these permits to the extent permitted by law or rule.

C. Liquor permit holders authorized to sell for on-premises general consumption may sell and deliver beer, wine, mixed beverages or spirituous liquor by the individual drink for off-premises consumption, provided the following requirements are met:

1. The permit holder may sell and deliver drinks that it prepares on the premises for a personal consumer for off-premises consumption;
2. Spirituous liquor drinks cannot contain more than two ounces of spirituous liquor per container;
3. All drinks sold must be in a closed container;
4. Any sale under this paragraph shall include a food purchase from the premises;
5. No more than two drinks may be sold per meal;
6. The permit holder must comply with all applicable state tax laws; and
7. The permit holder remains subject to all liquor laws and rules including hours of operation, minimum age requirements, and the prohibition against sales to intoxicated persons.

D. All purchases are subject to open container law upon leaving the permit premises.

E. All persons engaged in the sale of beer, wine, mixed beverages, and spirituous liquor for consumption off the premises where sold should reasonably attempt to ensure that all patrons and staff maintain a distance of six feet or greater when possible for the health and safety of all individuals engaged in the transaction.

Promulgated Under: 119.03

Statutory Authority: 4301.03

Rule Amplifies: 4301.03