
ALCOHOL AND TOBACCO COMMISSION

Nonrule Policy ATC #20

1. NOTICE: Under [IC 4-22-7-7](#), this document is required to be published with the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of the document will provide the general public with information about the Alcohol and Tobacco Commission's (ATC) official position concerning a specific issue.

2. DISCLAIMER: This nonrule policy is being established by the ATC consistent with the authority under [IC 7.1-2-3-7](#). It is intended solely as guidance and shall be used in conjunction with applicable rules or laws. It does not replace applicable rules and laws, and, if it conflicts with these rules or laws, the rules or laws shall control.

3. AUTHORIZED: David E. Cook, Chairman

4. SUPERSEDES: New

5. SUBJECT: The purpose of this nonrule policy is to implement a uniform procedure for a permittee to operate temporary beer service stations ("beer tubs") on premises licensed for family dining that also house a bar area.

6. SCOPE: Temporary, movable beer tubs may be used on premises containing both a bar and an adjacent family dining area; however, the tubs must be located in the bar area, not the family dining area, and must be marked on the approved floor plan. Beer tubs may be taken down and put back up without modification of the approved floor plan.

7. POLICY:

7.1 Pursuant to [905 IAC 1-41-1](#), a "bar" is a counter over which alcoholic beverages are sold or dispensed by the drink.

7.2 Temporary beer service stations, or beer tubs, are a point of sale and dispensation of alcoholic beverages by the drink, and are bars.

7.3 Pursuant to [905 IAC 1-41-2](#), a permit premises with a bar area and a dining area in which minors may be present must have a permanent structure or barrier that reasonably deters free access and egress between the two areas.

7.4 Pursuant to [905 IAC 1-41-2\(e\)](#), all permittees must have an approved floor plan on file with the Indiana ATC.

7.5 A permittee may utilize beer tubs only in a bar area accessible only to individuals 21 years of age or older and, where applicable, permanently separated from any adjacent family dining area. The location of the beer tubs must be designated on the recorded floor plan. However, tubs may be removed from the designated floor plan and replaced without modification of the floor plan.

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