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**TITLE 905 ALCOHOL AND TOBACCO  
COMMISSION**

LSA Document #03-39(F)

**DIGEST**

Amends 905 IAC 1-11.1-1 to increase the fees for temporary beer/wine permits. Amends 905 IAC 1-11.1-2 to provide that the commission may revoke a temporary permit for good cause at any time, including before the event. Effective 30 days after filing with the secretary of state.

**905 IAC 1-11.1-1**

**905 IAC 1-11.1-2**

SECTION 1. 905 IAC 1-11.1-1 IS AMENDED TO READ AS FOLLOWS:

**905 IAC 1-11.1-1 Temporary beer and wine permits**

**Authority:** IC 7.1-2-3-7; IC 7.1-3-6-1

**Affected:** IC 7.1-2-3-7; IC 7.1-3-6-1

Sec. 1. The fee for a temporary beer and wine permit is ~~twenty-five~~ **fifty** dollars (~~\$25~~) (**\$50**) per day. No rain checks shall be given on any of the above events. (*Alcohol and Tobacco Commission; 905 IAC 1-11.1-1; filed May 16, 1985, 3:51 p.m.: 8 IR 1308; readopted filed Dec 2, 2001, 12:23 p.m.: 25 IR 1350; filed Mar 4, 2004, 10:00 a.m.: 27 IR 2282*)

SECTION 2. 905 IAC 1-11.1-2 IS AMENDED TO READ AS FOLLOWS:

**905 IAC 1-11.1-2 Qualification requirements**

**Authority:** IC 7.1-2-3-7; IC 7.1-3-6-1

**Affected:** IC 7.1-2-3-7; IC 7.1-3-6-1

Sec. 2. In order to qualify for a temporary permit, the following guidelines must be met:

- (1) There must be a well-defined premises, ~~i.e. that is, a~~ building, tent, enclosure, **or** fenced-in or designated area.
- (2) The applicant must submit a floor plan or diagram (~~8½ × 11~~) (**eight and one-half (8½) by eleven (11)**) showing either a beer garden/barroom (for adults only) or beer garden/barroom and family area (for families to consume food). All alcoholic beverages must be dispensed from the beer garden/barroom. Minors will be allowed in the family area with a parent or guardian or to consume food, **BUT MAY NOT LOITER**.
- (3) There shall be **NO** carry-out privileges, **NO** carry-in privileges, and **NO** spirituous beverages allowed.
- (4) Each applicant must designate an individual responsible for the event, and such person must sign the application.
- (5) **ANY** and **ALL** persons dispensing or selling or accepting payment for alcoholic beverages **MUST POSSESS** a valid alcoholic beverage commission employee's permit.
- (6) The event must meet applicable board of health requirements, particularly with regard to restroom facilities.
- (7) Legal hours for dispensing alcoholic beverages:

(Prevailing time)

Monday through Saturday

7 a.m. to 3 a.m. the following day

Sunday

12 noon to 12:30 a.m. the following day

- (8) The applicant must file this application with the alcoholic beverage commission at least fifteen (15) days prior to the event. Failure to comply is grounds for denial.

- (9) The temporary permit must be posted in the most conspicuous place at the location of the event. An excise officer, or commissioner for good cause, has the authority to revoke a temporary permit **at any time before or during** the event.

*(Alcohol and Tobacco Commission; 905 IAC 1-11.1-2; filed May 16, 1985, 3:51 p.m.: 8 IR 1308; readopted filed Oct 4, 2001, 3:15 p.m.: 25 IR 941; filed Mar 4, 2004, 10:00 a.m.: 27 IR 2282)*

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