

LOCAL OPTION REGULATIONS

REGULATION NO. 12

(As Amended 8/7/89)

HOURS AND DAYS DURING WHICH ALCOHOLIC BEVERAGES MAY BE SOLD BY HOTELS, RESTAURANTS, CLUBS, PACKAGE STORES AND CATERERS

On-premise permittees or clubs or caterers may make sales of alcoholic beverages at the permitted location between the hours of 10:00 a.m. and midnight, except that no sales or deliveries of alcoholic beverages shall be made to any person on Sundays. It is further provided that on New Year's Eve, on-premises permittees and clubs may be allowed to remain open until 1:00 a.m., January 1st. In the event that New Year's Eve falls on Sunday, on-premises permittees and clubs may make sales of alcoholic beverages at the permitted location between the hours of 1:00 p.m. and 1:00 a.m. Provided, however, the governing body of any municipality may petition the State Tax Commission to permit sales by on-premises permittees or clubs located within the municipality at other times, and also the hours of sale may, with the approval of the State Tax Commission, be either shortened or extended. In the event that a municipality or county would prefer not to recognize the extension of hours on New Year's Eve when the holiday falls on Sunday, the municipality or county shall notify the Alcoholic Beverage Control Enforcement Section, in writing, no later than September 1 of that year. The Board of Supervisors of any county may file such a petition with the State Tax Commission for on-premises permittees or clubs located outside a municipality. All such petitions must be accompanied by a certified copy of the order of the municipal governing authority or the Board of Supervisors requesting such permission.

Resort areas are exempt from the above provisions requiring the sale of alcoholic beverages to be between the hours of 10:00 a.m. and midnight. However, the governing body of any municipality may petition the State Tax Commission to designate the hours of sale of alcoholic beverages for a resort area on-premises permittees or clubs located within the municipality. The Board of Supervisors of any county may also file such a petition with the State Tax Commission for resort area on-premises permittees or clubs located outside a municipality. Upon receipt of the above mentioned petitions, or upon its own motion, the Commission shall consider the same and set whatever hours of sale it deems appropriate for any particular resort area. All such petitions must be accompanied by a certified copy of the resolution of the municipal governing authority or the Board of Supervisors requesting such permission.

It shall be unlawful for any holder of a package retailer's permit (or any employee or agent thereof) to sell, give away, deliver or barter any alcoholic beverages before 10:00 a.m. and after 10:00 p.m., or on any Sunday, or on Christmas Day.