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Amendment to Section 1.26 *Notice of Application to be Posted at Premises.*

Within five (5) days after filing an application for any permit issued by the Alcoholic Beverage Control Division at any premises, a notice of the application in a form approved by the Director shall be posted in a conspicuous place at the front entrance to the premises. The applicant shall notify the Director of the date such notice was first posted. No application may be acted on and no permit issued to any applicant until the application has been in the possession of the agency and proper notice has been so posted on the premises for a period of at least thirty (30) consecutive days.

Provided, that this requirement shall not apply to an applicant for a permit to conduct business at a premises for which a valid permit of the same type is in existence at the time of said applicant's application nor shall it apply under the following circumstances: 1) if If the applicant holds a restaurant mixed drink permit and subsequently makes application for a beer and/or wine permit only at the same location-; or 2) If the applicant holds a small farm wine retail permit and subsequently makes application for a grocery store wine permit at the same location.

SUMMARY

This rule is being amended to facilitate the application process for the Grocery Store Wine permit created by Act 508 of 2017. ABC waives the notice by posting requirement for current permittees who apply for permits to sell products with equal or lesser alcohol content as the products currently being sold by the business. Many of the applicants that qualify as grocery stores under Act 508 of 2017 are currently permitted to sell wine products within the same range allowed under the Grocer Store Wine permit. They are currently licensed to sell wine products not in excess of 21% alcohol by weight; therefore, the public has already been notified that this type of product is sold on the premises.

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