

MINOR VIOLATIONS PENALTY SCHEDULE B

STATUTE	OAC 45:	VIOLATIONS	SUCCESSIVE VIOLATIONS							
			1st Suspension	Fine	2nd Suspension	Fine	3rd Suspension	Fine	4th Suspension	Fine
37A §2-102-132	45:10-3-7	Employ an unlicensed person to work on licensed premises in the sale or distribution of alcoholic beverages.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	20 Days + \$1,000	
37A §2-142H		Failure to timely renew license.	None	\$5/Day	None	\$10/Day	None	\$25/Day	None	\$50/Day
37A §2-143D		Failure to notify Commission of acquisition of 15% or more corporate stock within 30 days of acquisition.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	20 Days + \$1,000	
37A §2-148A(1)		General Civil Penalty Provision Violate any rule adopted by the Commission.	3 Days	\$ 150	6 Days	\$ 300	10 Days	\$ 500	10 Days + \$ 500	
37A §2-148A(6)		Misrepresented to a customer or the public any alcoholic beverage sold by the licensee.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	30 Days + \$1,500	
37A §2-148B(1)		Has acted as an Agent of a Manufacturer or Wholesaler of alcoholic beverages.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	30 Days or Revocation	
	(5)	Has violated any of the provisions of the ABC Act for which mandatory revocation or suspension is not required.	5 Days	\$ 250	10 Days	\$ 500	20 Days	\$1,000	30 Days + \$1,500	
37A §2-154		Failure to display licenses in conspicuous place.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	20 Days + \$1,000	
37A §2-156C	45:20-3-8 45:20-3-13	Take alcoholic beverages through passageway for sale elsewhere.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	30 Days + \$1,500	

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37A §3-106E(1)	45:25-5-2	Delivery of more than 6-9 liter cases per year to an individual.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	30 Days + \$3,000	
(3)	45:25-5-3	Failure to have proper labeling on wine shipments.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	30 Days + \$3,000	
(6)	45:25-5-4	Failure to submit annual Direct Shippers report.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	30 Days + \$3,000	
37A §3-125A	45:20-5-10	Sale or consumption on the premises of a Mixed Beverage Club between 2:00 a.m. and 10:00 a.m.	5 Days	\$ 250	10 Days	\$ 500	15 Days + \$ 750	20 Days + \$1,000		
37A §3-126	45:20-7-6	Dispense or consume alcoholic beverages on premises of Bottle Club between 2:00 a.m. and 10:00 a.m.	5 Days	\$ 250	10 Days	\$ 500	15 Days	\$ 750	20 Days + \$ 750	
37A §3-127		Serve to person, other than member, from member's individually owned bottle in Bottle Club.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500	
37A §5-120		Keeping of books and records by licensees.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500	
37A §5-137B	45:20-5-9	Possess alcoholic beverage container on the licensed premises not listed on an invoice from the Wholesaler from whom purchased.	5 Days	\$ 250	10 Days	\$ 500	15 Days + \$ 750	20 Days + \$1,000		

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37A §5-143C		Failure to notify Commission of change in corporate officers, directors or principle managers of premises or failure to pay required fee for change.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$ 1,000	20 Days	+\$1,000
37A §6-101A(3)	45:20-3-12	Open a retail container or consume alcoholic beverages on the premises of a Retail Package Store.	Letter of Caution		5 Days	\$ 250	10 Days	\$ 500	30 Days	+\$1,500
	(11)	Consume or possess alcoholic beverages on the licensed premises of a bottle club unless such person possesses a valid membership card for that club issued by the club.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500
37A §6-102(3)		Give any alcoholic beverage as a prize for any type of competition.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500
	(4)	Inducement to stimulate consumption of alcoholic beverages including:	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500
		a. Deliver more than two drinks to one person at one time.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500
		b. Sell or offer discounted drinks for less than 6% below markup cost.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500
		c. Sell or offer unlimited drinks during set period of time for a fixed price, except at function not open to public.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+\$1,500

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37A §6-102(4)		d. Sell or offer drinks for less than charged general public on any day, except at function not open to public.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
		e. Increase volume of alcohol in a drink without increasing the price regularly charged during the same calendar week.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
		f. Promote contests which involve drinking or award drinks as prizes.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
	(5)	Permit any person to exit licensed premises with an open container of alcoholic beverage.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
	(7)	Drunk or intoxicated persons allowed to remain on a licensed premise.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
37A §6-103A(2)		Permit any retail container to be opened or consumed on licensed premises.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	30 Days + \$1,500				
37A §6-103B		Permit any person under twenty-one (21) to enter, remain or loiter about the licensed premises.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 300	30 Days + \$1,500				
37A §6-105(2)		Transport alcoholic beverages without a Private Carrier license.	5 Days	\$ 250	10 Days	\$ 500	20 Days	\$1,000	30 Days + \$1,500				

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37A §6-106(4)		Allow any person to enter or remain in a designated bar area without a valid membership card.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
(7)		Serve alcoholic beverage to any person without a valid membership card.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
37A §6-107(2)		Transport alcoholic beverages without a Private Carrier license.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
37A §6-109(1)		Consume or be under the influence of alcoholic beverages while on duty.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500				
(2)	45:10-3-10	Permit offensive or threatening language or conduct.	Letter of Caution		3 Days	\$ 150	6 Days	\$ 300	15 Days + \$ 300				
(3)		Permit empty or discarded alcoholic beverage containers outside the licensed premises.	Letter of Caution		3 Days	\$ 150	6 Days	\$ 300	15 Days + \$ 300				
(6)		Permit a sealed or unsealed container of alcoholic beverage to be taken from the licensed premises.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	30 Days + \$1,500				
	45:25-1-4	Failure to provide appropriate winery tasting Area.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500				

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	45:25-1-5	Failure by a winery to provide event schedule and diagram.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500	
	45:25-1-6	Failure by a winemaker to provide a separate premise.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days + \$1,000	
	45:25-3-4	Failure to maintain records by a Self-Distributing Winery.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	30 Days + \$3,000	
	45:30-5-19	Failure by brewery to provide appropriate tasting area.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500	
	45:30-5-20	Failure by a brewer to provide event schedule and a diagram.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500	
	45:30-5-21	Failure by a brewer to provide a separate premise as required.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days + \$1,000	
	45:35-1-5	Failure to provide barriers for a special event.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days + \$1,000	
	45:35-1-6	Failure by a Special Event licensee to provide a designated bar area; failure to post signs and failure to qualify for a Type II.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500	

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	45:35-1-7	Failure by a Special Event licensee to sell alcohol by the individual drink.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000
	45:35-3-6	Failure by a Public Event licensee to provide a designated bar area; failure to post signs and failure to qualify for a Type II.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days +	\$2,500
	45:35-5-4	Failure to provide barriers for a Charitable Alcohol Beverage event.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days +	\$1,000
	45:35-5-5	Failure by a Charitable Alcohol Beverage Event licensee to provide a designated bar area and/or failure to post signs.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days +	\$2,500
	45:35-5-6	Failure by a Charitable Alcohol Beverage Event Licensee to provide a diagram.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days +	\$1,000
	45:35-9-4	Failure to comply with size of container for a Hotel mini bar.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	10 Days +	\$1,000
	45:10-3-15	Returning merchandise delivered in error.	Letter of Caution							
	45:10-3-20	Holding of check prohibited.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days +	\$1,500
	45:10-3-21	Post-dated check prohibited.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days +	\$1,500

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	45:10-3-30	Transfer of stock of terminated licensee, Applications for Permission to Director, by seller and purchaser, Inventory & Report.	Letter of Caution							
	45:20-7-2	Improper label.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+ \$1,500
	45:30-3-13	Records for Wholesaler; requirements for keeping.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days	+ \$1,500
	45:40-3-6	Signs to be used on vehicles owned by Wholesalers.	Letter of Caution		3 Days	\$ 150	6 Days	\$ 300	15 Days + \$ 750	
	45:40-7-5	Alteration of licensed premises.	3 Days	\$ 150	3 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500	