

MINOR VIOLATIONS PENALTY SCHEDULE B

STATUTE	OAC 45:	VIOLATIONS	SUCCESSIVE VIOLATIONS							
			1st		2nd		3rd		4th	
			Suspension	Fine	Suspension	Fine	Suspension	Fine	Suspension	Fine
37A §2-102-132 See also 37A §6-117.	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 §2-133		Licensee responsible for act or omission of servant, agent, employee or representative.	Match suspension or fine for underlying (minor or major) violation.							
37A §2-142H		Failure to timely renew license.	None	\$5/Day	None	\$10/Day	None	\$25/Day	None	\$50/Day
37A §2-143C		Failure to notify Commission of change in corporate officers, directors or principal 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 §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(5)		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)		Mixed Beverage or Caterer licensee has acted as an Agent of a Manufacturer, Brewer or Wholesaler of alcoholic beverages.	3 Days	\$ 150	10 Days	\$ 500	20 Days	\$1,000	30 Days or Revocation	

(5)		Mixed Beverage or Caterer licensee 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
See also 37A §6-102A(1).	45:10-5-1	Any licensee has violated any provision of the ABC Act or any rule for which no specific suspension period or fine is provided.	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	Retail sale or delivery off licensed premises; passageway violation; permit use of licensed premises by other persons for business purposes.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	30 Days + \$1,500
37A §3-106C(1)		Delivery of more than six 9-liter cases per year to an individual.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	30 Days + \$3,000
(3)		Failure to have proper labeling on wine shipments.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	30 Days + \$3,000
(5)		Failure to submit quarterly Direct Shipper's report.	3 Days	\$ 250	5 Days	\$ 500	10 Days	\$1,000	30 Days + \$3,000
37A §3-118 See also 37A §6-102A(4)(b).		Retail sale for less than 6% markup.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500

37A §3-125A See also 37A §6-103A(3).	45:20-5-10	Sale or consumption of alcoholic beverages other than hours set forth.	5 Days \$ 250	10 Days \$ 500	15 Days + \$ 750	20 Days + \$1,000
37A §5-120 See also 37A §5-126.	45:20-3-7 45:20-5-9	Failure to keep books and records, including invoices, available for inspection for 3 years.	3 Days \$ 150	6 Days \$ 300	15 Days \$ 750	30 Days + \$1,500
37A §5-126 See also 37A §5-120.	45:20-3-7 45:20-5-9	Failure to keep records for 3 years.	3 Days \$ 150	6 Days \$ 300	15 Days \$ 750	30 Days + \$1,500
37A §5-137 See also 37A §2-138.	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
37A §6-101A(3) See also 37A §6-103A(2).	45:20-3-12	Open a retail container or consume alcoholic beverages on the premises of a Retail Package Store, Grocery Store, Convenience Store or Drug Store.	Letter of Caution	5 Days \$ 250	10 Days \$ 500	30 Days + \$1,500
37A §6-102A(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
See also 37A §3-118.		b. Sell or offer discounted drinks for less than 6% markup by Mixed Beverage licensee.	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
37A §6-102A(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) See also 37A §6-101A(3).	45:20-3-12	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

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 or violate educational tasting requirements.	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 in public view.	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
	45:10-3-10	Permit fire exit to be blocked or locked.	10 Days \$1,000	20 Days \$2,000	30 Days \$3,000	Revocation
	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
	45:10-3-30	Unauthorized transfer of stock of terminated licensee, failure to submit application for permission to Director, by seller and purchaser, failure to submit Inventory & Report.	3 Days \$ 150	6 Days \$ 300	15 Days \$ 750	30 Days + \$1,500

45:25-1-4	Failure to provide appropriate winery serving area at a trade show or festival.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500
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 an Off-Site Event licensee to provide a designated area.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$2,500	30 Days + \$2,500
45:25-3-4	Failure to maintain records by a Self-Distributing Winery.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500
45:30-3-13	Failure to maintain records by Wine and Spirits Wholesaler.	3 Days	\$ 150	6 Days	\$ 300	15 Days	\$ 750	30 Days + \$1,500
45:30-5-19	Failure by brewery to provide appropriate serving area at a trade show or festival.	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
45:35-1-6	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
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

45:35-9-4	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
45:40-3-5	Failure to display proper signage on vehicles owned by Wine and Spirits Wholesalers.	Letter of Caution	3 Days \$ 150	6 Days \$ 300	15 Days + \$ 750
45:40-7-5	Failure to comply with requirements for alteration of licensed premises.	3 Days \$ 150	3 Days \$ 300	15 Days \$ 750	30 Days + \$1,500