

CHAPTER 529 Liquor Control

— Chapter Overview

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OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

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Liquor Control

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CROSS REFERENCES

See sectional histories for similar State law

Prohibiting sale of intoxicating liquor on Sunday - see Ohio R.C. 4301.22(D)

Local option - see Ohio R.C. 4301.32 et seq., 4303.29

Disorderly conduct; intoxication - see GEN. OFF. 509.03

Using weapons while intoxicated - see GEN. OFF. 549.03

529.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(a) “Alcohol”. Ethyl alcohol, whether rectified or diluted with water or not, whatever its origin may be, and includes synthetic ethyl alcohol. The term does not include denatured alcohol and wood alcohol.

(b) “At Retail”. For use or consumption by the purchaser and not for resale.

(c) “Beer”.

(1) Includes all beverages brewed or fermented wholly or in part from malt products and containing one-half of one percent (0.5%) or more of alcohol by volume.

(2) Beer, regardless of the percent of alcohol by volume, is not intoxicating liquor for purposes of this code, the Ohio Revised Code, or any rules adopted under it.

(d) “Cider”. All liquids that are fit to use for beverage purposes that contain one-half of one percent (0.5%) of alcohol by volume, but not more than six percent (6%) of alcohol by weight that are made through the normal alcoholic fermentation of the juice of sound, ripe apples, including, without limitation, flavored, sparkling, or carbonated cider and cider made from pure condensed apple must.

(e) “Club”. A corporation or association of individuals organized in good faith for social, recreational, benevolent, charitable, fraternal, political, patriotic, or athletic purposes, which is the owner, lessor, or occupant of a permanent building or part of a permanent building operated solely for such purposes, membership in which entails the prepayment of regular dues, and includes the place so operated.

(f) “Community Facility”. Means either of the following:

(1) Any convention, sports or entertainment facility or complex, or any combination of these, that is used by or accessible to the general public and that is owned or operated in whole or in part by the state, a state agency, or a political subdivision of the state or that is leased from, or located on property owned by or leased from, the state, a state agency, a political subdivision of the state, or a convention facilities authority created pursuant to Ohio R.C. 351.02;

(2) An area designated as a community entertainment district pursuant to Ohio R.C. 4301.80.

(g) “Controlled Access Alcohol and Beverage Cabinet”. A closed container, either refrigerated, in whole or in part, or nonrefrigerated, access to the interior of which is restricted by means of a device that requires the use of a key, magnetic card, or similar device and from which beer, intoxicating liquor, other beverages or food may be sold.

(h) “Hotel”. The same meaning as in Ohio R.C. 3731.01, subject to the exceptions mentioned in Ohio R.C. 3731.03.

(i) “Intoxicating Liquor” and “Liquor”. All liquids and compounds, other than beer, containing one half of one percent (0.5%) or more of alcohol by volume which are fit to use for beverage purposes, from whatever source and by whatever process produced, by whatever name called, and whether they are medicated, proprietary, or patented. The terms include cider and alcohol, and all solids and confections which contain one-half of one percent (0.5%) or more of alcohol by volume.

(j) “Low-Alcohol Beverage”. Any brewed or fermented malt product or any product made from the fermented juices of grapes, fruits, or other agricultural products that contains either no alcohol or less than one-half of one percent (0.5%) of alcohol by volume. The beverages described in this definition do not include a soft drink such as root beer, birch beer, or ginger beer.

(k) “Manufacture”. All processes by which beer or intoxicating liquor is produced, whether by distillation, rectifying, fortifying, blending, fermentation, brewing, or in any other manner.

(l) “Manufacturer”. Any person engaged in the business of manufacturing beer or intoxicating liquor.

(m) “Mixed Beverages”. Include bottled and prepared cordials, cocktails, highballs, and solids and confections that are obtained by mixing any type of whiskey, neutral spirits, brandy, gin or other distilled spirits with, or over, carbonated or plain water, pure juices from flowers and plants, and other flavoring materials. The completed product shall contain not less than one-half of one percent (0.5%) of alcohol by volume and not more than twenty-one percent (21%) of alcohol by volume. The phrase includes the contents of a pod.

(n) “Nightclub”. A place habitually operated for profit, where food is served for consumption on the premises, and one or more forms of amusement are provided or permitted for a consideration that may be in the form of a cover charge or may be included in the price of the food and beverages, or both, purchased by patrons.

(o) “Person”. Includes firms and corporations.

(p) “Pharmacy”. An establishment as defined in Ohio R.C. 4729.01, that is under the management or control of a licensed pharmacist in accordance with Ohio R.C. 4729.27.

(q) “POD”. Means a sealed capsule made from plastic, glass, aluminum, or a combination thereof to which all of the following apply:

(1) The capsule contains intoxicating liquor of more than twenty-one percent (21%) of alcohol by volume.

(2) The capsule also contains a concentrated flavoring mixture.

(3) The contents of the capsule are not readily accessible or intended for consumption unless certain manufacturer’s processing instructions are followed.

(4) The instructions include releasing the contents of the capsule through a machine specifically designed to process the contents.

(5) After being properly processed according to the manufacturer’s instructions, the final product produced from the capsule contains not less than one-half of one percent (0.5%) of alcohol by volume and not more than twenty-one percent (21%) of alcohol by volume.

(r) “Restaurant”. A place located in a permanent building provided with space and accommodations wherein, in consideration of the payment of money, hot meals are habitually

prepared, sold, and served at noon and evening, as the principal business of the place. The term does not include pharmacies, confectionery stores, lunch stands, nightclubs, and filling stations.

(s) “Sale” and “Sell”. The exchange, barter, gift, offer for sale, sale, distribution, and delivery of any kind, and the transfer of title or possession of beer and intoxicating liquor either by constructive or actual delivery by any means or devices whatever, including the sale of beer or intoxicating liquor by means of a controlled access alcohol and beverage cabinet pursuant to Ohio R.C. 4301.21. Such terms do not include the mere solicitation of orders for beer or intoxicating liquor from the holders of permits issued by the Division of Liquor Control authorizing the sale of the beer or intoxicating liquor, but no solicitor shall solicit any orders until the solicitor has been registered with the Division pursuant to Ohio R.C. 4303.25.

(t) “Sales Area or Territory”. An exclusive geographic area or territory that is assigned to a particular A or B permit holder and that either has one or more political subdivisions as its boundaries or consists of an area of land with readily identifiable geographic boundaries. The term does not include, however, any particular retail location in an exclusive geographic area or territory that had been assigned to another A or B permit holder before April 9, 2001.

(u) “Sealed Container”. Any container having a capacity of not more than 128 fluid ounces, the opening of which is closed to prevent the entrance of air.

(v) “Spirituous Liquor”. All intoxicating liquors containing more than twenty-one percent (21%) of alcohol by volume. The phrase does not include the contents of a pod.

(w) “Vehicle”. All means of transportation by land, by water, or by air, and everything made use of in any way for such transportation.

(x) “Wholesale Distributor” and “Distributor”. A person engaged in the business of selling to retail dealers for purposes of resale.

(y) “Wine”. All liquids fit to use for beverage purposes containing not less than one-half of one percent (0.5%) of alcohol by volume and not more than twenty-one percent (21%) of alcohol by volume, that is made from the fermented juices of grapes, fruits, or other agricultural products. The term includes cider, except as used in Ohio R.C. 4301.13, 4301.421, 4301.422, 4301.432, and 4301.44, and, for purposes of determining the rate of the tax that applies, Ohio R.C. 4301.43(B), the term does not include cider.

(ORC 4301.01, 4301.244)

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- Ordinances of Sheffield Lake, OH
- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- orderly Conduct and Peace Disturbance
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