

## TO BE RESCINDED

4301:1-1-12

**Permits - inspection of permit premises and duty of division before issuing.**

- (A) No class C or D permit, except on a renewal, shall be issued by the division until a complete examination, including inspection of the premises, has been conducted under the direction of the licensing section, except as provided by this rule, and the division finds that the applicants and the locations meet all of the requirements imposed by law and rules.

No class A or B permit, except on a renewal, shall be issued by the division until after a complete examination, including inspection of the premises has been conducted except as provided by this rule, and until after a report thereof and the findings of the division shall have been made.

In making applications for either new or renewal of class B-5 permits, applicants who do not intend to bottle under the provisions of section 4303.10 of the Revised Code, a statement shall be filed with such applications stating that before any bottling is done an inspection of the premises will be requested and approval obtained.

- (B) In determining whether to grant, refuse or renew a permit, the division shall consider environmental factors affecting the maintenance of public decency, sobriety, and good order, including the number and location of permit premises in the immediate area. If the division shall find that no substantial prejudice to public decency, sobriety, and good order will result, it may issue the permit. For the purpose of this rule, however, the division shall presume, in the absence of affirmative evidence to the contrary, that the renewal of permits and transfer of permits to successors in interest at the same locations will not prejudice the maintenance of public decency, sobriety, and good order.

Effective:

R.C. 119.032 review dates: 01/07/2004

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: RC 4301.03  
Rule Amplifies: RC 4301.10(A)(6)  
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