

FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

A. <u>ADVERTISING</u>	<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
1.	Improper advertising:			
	a. that contains any statement, design, device, or representation that is false or misleading;	32A-12-401(4)	R81-1-17(6)(b), (7)	MOD, *b
	b. that contains any statement, design, device, or representation that is obscene or indecent;	32A-12-401(4)	R81-1-17(6)(c), (7)	MOD, *b
	c. that refers to, portrays, or implies illegal conduct, illegal activity, abusive or violent relationships or situation, or anti-social behavior;	32A-12-401(4)	R81-1-17(6)(d), (7)	MOD, *b
	d. that encourages over-consumption or intoxication, promotes the intoxicating effects of alcohol, or overtly promotes increased consumption;	32A-12-401(4)	R81-1-17(6)(e), (7)	MOD, *b
	e. that offers any unlawful discounting practice such as "happy hour", "two for the price of one", or "all you can drink for \$.....";	32A-12-401(4)	R81-1-17(6)(f), (7)	MOD, *b
	f. that encourages or condones drunk driving;	32A-12-401(4)	R81-1-17(6)(g), (7)	MOD, *b
	g. that depicts the act of drinking;	32A-12-401(4)	R81-1-17(6)(h), (7)	MOD, *b
	h. that promotes or encourages the sale to or use of alcohol by minors;	32A-12-401(4)	R81-1-17(6)(i), (7)	MOD, *b
	i. that is directed or appeals primarily to minors by:	32A-12-401(4)	R81-1-17(6)(j), (7)	MOD, *b
	(1) using any symbol, language, music, gesture, cartoon character, or childhood figure such as Santa Clause;			
	(2) employing any entertainment figure or group that appeals primarily to minors;			
	(3) placing advertising in magazines, newspapers, television programs, radio programs, or other media where most of the audience is reasonably expected to be minors, or placing			

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<p>advertising on the comic pages of magazines, newspapers, or other publications;</p> <p>(4) placing advertising in any school, college or university magazine, newspaper, program, television program, radio program, or other print media, or sponsoring any school, college or university activity;</p> <p>(5) using models or actors in the advertising that are or reasonably appear to be minors;</p> <p>(6) advertising at an event where most of the audience is reasonably expected to be minors;</p> <p>(7) using alcoholic beverage identification, including logos, trademarks, or names on clothing, toys, games or game equipment, or other materials intended for use by minors.</p>			
<p>j. that portrays use of alcohol by a person while that person is engaged in, or is immediately about to engage in, any activity that requires a high degree of alertness or physical coordination;</p>	32A-12-401(4)	R81-1-17(6)(k), (7)	MOD, *b
<p>k. that contains claims of representations that individuals can obtain social, professional, educational, athletic, or financial success or status or solve such problems as a result of consumption;</p>	32A-12-401(4)	R81-1-17(6)(l), (7)	MOD, *b
<p>l. that requires the purchase, sale, or consumption of an alcoholic beverage in order to participate in any promotion, program or other activity;</p>	32A-12-401(4) 32A-12-606(2)	R81-1-17(6)(n), (7)	MOD, *b
<p>m. that implies by use of appealing characters or life-enhancing images that consumption of the product will benefit the consumer's health, physical or sexual prowess, athletic ability, social welfare, or capacity to enjoy life's activities.</p>	32A-12-401(4)	R81-1-17(6)(o), (7)	MOD, *b
<p>2. Advertising scheme that offers alcoholic beverages to patrons or the general public without charge.</p>	32A-12-401(4), (5) 32A-4-106(12)(g)	R81-1-17(6)(m), (7)	MOD, *b

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B. <u>AUDIT</u>	<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
1.	Change of floor plan without department approval.	32A-4-102(1)(g) 32A-4-106(6)	R81-4A-1(d) R81-4A-8	MOD
2.	Failure to maintain local licensing.	32A-4-102(1)(d) 32A-4-103(6) Title 11-10(2)		*f
3.	Failure to maintain a compliance bond.	32A-4-102(1)(f) 32A-4-103(6) 32A-4-105	R81-4A-3	*f, *e
4.	Failure to maintain general liability insurance as required.	32A-4-102(1)(h) 32A-4-103(6)	R81-4A-4	*f, *e
5.	Failure to maintain dram shop insurance as required.	32A-4-102(1)(i) 32A-4-103(6),	R81-4A-4	*f, *e
6.	Record maintenance:			
	a. Failure to maintain expense and sales ledgers with required line items and current for each three-month period.	32A-4-106(21)		MOD
	b. Failure to keep ID badge records.		R81-4A-13	MOD
	c. Failure to keep employee alcohol server training records.		R81-1-12(3)	MOD
	h. Failure to maintain liquor dispensing records as required.		R81-1-9(4)(g)	MOD
	i. Failure to maintain wine dispensing records as required.		R81-1-10	MOD
7.	Falsification/tampering with records.	32A-4-106(21)(e) 32A-12-303(2) 32A-12-304		GR, *b, *d
8.	Failure to maintain 70% food sales.	32A-4-106(23) 32A-4-103(6)	R81-4A-7(2)	*f
9.	Failure to maintain required expense and sales records for three years.		R81-4A-7(2)(a)	MOD
10.	Change of ownership or organizational structure without notifying the department.	32A-4-102(3) 32A-4-106(25)(a)	R81-4A-1	*f

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11. Failure to comply with state and federal laws pertaining to payment of taxes, unemployment funds, etc.	32A-1-123 32A-4-103(6)		*f
12. Obstructing or failing to allow an officer or department representative from making a search or investigation.	32A-4-102(1)(j) 32A-12-305 32A-13-109		GR, *b
13. Failure to have printed alcoholic beverage price list on premises, including prices for packaged liquor, wine, and heavy beer, and other service charges.		R81-4A-12(1)(a-c)	MOD
14. Failure to maintain Responsible Alcohol Service Plan (if ordered by Commission).		R81-1-24(4)	SER, *e

C. CONSUMPTION

1. More than 2.5 ounces of spirituous liquor before a patron at a time.	32A-4-106(2)(c) 32A-12-222(2)(b, d)		SER, *c
2. More than two alcoholic beverages of any kind before a patron at a time.	32A-4-106(7)(e) 32A-12-222(2)(c)		SER, *c
3. More than one spirituous drink before a patron at a time.	32A-4-106(2)(d) 32A-12-222(3)(a)		SER, *c
4. Wine portion exceeding 5 ounces.	32A-4-106(3)(a)(i)		MOD
5. Heavy beer served in original container exceeding 1 liter.	32A-4-106(4)(a)		SER
6. 3.2 beer sold in a container exceeding 2 liters.	32A-4-106(5)(a)(ii) 32A-12-206		SER, *b
7. 3.2 beer sold to an individual patron in a container exceeding 1 liter.	32A-4-106(5)(a)(ii)		SER

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8. Wine in a 1.5 liter or larger container served to a table of fewer than four patrons.	32A-4-106(3)(b)(i)		MOD
9. Allowing consumption of alcoholic beverages at other than a patron's table, counter, or "grandfathered" bar structure.	32A-4-106(7)(c)	R81-4A-11(2)	MOD
10. Allowing consumption of alcoholic beverages at a bar structure that has not been "grandfathered".	32A-4-106(7)(d)	R81-4A-11(1)	MOD
11. Allowing consumption on a premises during a license suspension.	32A-4-101(1) 32A-12-201(7), - 301(1)(a)		GR, *b
12. Employee consuming alcoholic beverages while on duty	32A-4-106(17)(a)		SER
13. Permitting a person to become intoxicated, or an intoxicated person to consume.	32A-12-216(1)(a)		GR, *c

D. DISPENSING

1. No posted list or insufficient list of brands and types of spirituous liquor being dispensed.	32A-4-106(19)(b)	R81-1-9(4)(i)	MIN
2. Dispensing more than 1.5 ounces of primary spirituous liquor per beverage (e.g.: doubles).	32A-4-106(2) 32A-12-222(2)(a)	R81-1-9(4)(a)	SER, *c
3. Dispensing liquor not in its original container.	32A-12-218(1)(a)	R81-1-9(4)(f)	SER, *b
4. Misrepresent the brand of liquor contained in a drink.		R81-1-9(4)(j)(ii)	GR
5. Sell or serve any brand of liquor not identical to that ordered by the patron.		R81-1-9(4)(j)(i)	GR
6. Wine portion exceeding 5 ounces.	32A-4-106(3)(a)(i)		MOD
7. Dispensing an alcoholic beverage containing more than 2.5 ounces of spirituous liquor.	32A-4-106(2)(c) 32A-12-222(2)(b)		SER, *c
8. Open primary liquor not affixed to the system (wine excluded).	32A-4-106(2)	R81-1-9(4)(c)	SER

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9. Use of unapproved mini-bottles.	32A-4-106(2)		MOD
10. Liquor bottles in use with a remote dispensing system not in locked storage area.		R81-1-9(4)(c)	MOD
11. Pitchers of beverages containing more than 1.5 ounces of primary spirituous liquor per person being served.	32A-4-106(2) 32A-12-222(2)(a)	R81-1-9(4)(h)	SER, *c
12. Failure to maintain daily liquor dispensing records that include: a. brand of liquor being dispensed; b. beginning and ending meter readings by brand or sales price level and the number of portions dispensed through the dispensing system; c. number of portions sold by brand or sales price level; and d. comparison of number of portions dispensed and number of portions sold including an explanation of any variances.		R81-1-9(4)(g)(i-iv)	MOD
13. Failure to maintain daily wine dispensing records that include: a. brand of each wine dispensed by the glass; b. portion size and number of portions dispensed by the glass of each wine by brand and sales price level; c. portion size and number of portions sold by the glass of each wine by brand and price level; and d. comparison of the number of portions dispensed to the number of portions sold including an explanation of any variances.		R81-1-10(1)	MOD
14. Liquor dispensed from container or package with no official state label affixed.	32A-4-106(1)(a) 32A-12-214, -218(1)(b)		GR, *b
14. Free-pouring (primary liquor not dispensed through a metered dispensing system.)	32A-4-106(2) 32A-12-222(2)(a)		SER, *c
16. Failure to obtain department approval for multiple licensed facility storage and service in qualified premises.		R81-1-11(2)(h)	MOD
17. Allowing a patron to dispense their own alcoholic beverages.	32A-4-106(7)(a)(i), (b)		GR
18. Serving alcohol to a patron at a bar structure that is not "grandfathered."	32A-4-106(7)(d)		MOD

E. DISPENSING SYSTEM

1. Failure to apply for "Licensee Application for Dispensing System Approval".		R81-1-9(3)(b)	MIN
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2. Dispensing system not calibrated to a maximum of 1.5 ounces.		R81-1-9(1)(a) R81-1-9(4)(a)	SER
3. Dispensing system's margin of error exceeds 1/16 th of an ounce or 2ml.		R81-1-9(1)(b)	MOD
4. Use of dispensing system not approved by the department.	32A-4-106(2) 32A-12-222(2)(a)	R81-1-9(1),(2),E(3)	SER, *c
5. Dispensing system does not count the number of pours dispensed.		R81-1-9(1)(b)	MOD
6. Refusing to allow authorized representatives to inspect or test dispensing system.		R81-1-9(4)(b)	GR
7. Failure to furnish samples of alcoholic products dispensed through system, upon department's or law enforcement's request.		R81-1-9(4)(b)	GR
8. Failure to conform with BATF rules governing liquor dispensing systems (in-series hookup of bottles, liquor not dispensed from original bottle, or intermingling of liquor).		R81-1-9(4)(e)E(f)	SER
9. Failure to conform with federal, state, and local health and sanitation requirements.		R81-1-9(4)(k)	SER
10. Failure to maintain dispensing system to ensure it continues to meet manufacturer's specification.		R81-1-9(3)(b)	MOD
11. Liquor bottles in use with a remote dispensing system not in locked storage area.		R81-1-9(4)(c)	MOD

F. DUAL LICENSE (WITH ON-PREMISE BEER LICENSE - ON SAME PREMISES AT DIFFERENT HOURS):

1. Operating dually as an on-premise beer establishment without first acquiring an on-premise beer license.		R81-4A-1(2)(a)	SER
2. Operating under the restaurant and on-premise beer licenses concurrently.		R81-4A-1(2)(b) E (c)	SER
3. Changing times of operation of each license type without first requesting and receiving approval from DABC.		R81-4A-1(2)(b)	MOD
4. Liquor storage unlocked during the hours establishment is operated under the on-premise beer license.		R81-4A-1(2)(d)	SER

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G. EMPLOYEE:

1. Lack of alcohol server training and education.	32A-4-106(7)(a)(i) 32A-1-401	R81-1-12	MOD
2. Employee misrepresenting the price of an alcoholic beverage.		R81-4A-12(1)(d)	GR
3. Employee consuming alcoholic beverages while on duty.	32A-4-106(17)(a)		SER
4. Employee intoxicated while on duty.	32A-4-106(17)(b)		GR
5. No or improper identification badge.		R81-4A-13	MIN
6. Employee allowing a person to brownbag an alcoholic beverage onto the premises (except bottled wines).	32A-4-106(14)(b) 32A-12-213	R81-4A-14	SER, *b
7. Minor employee selling, dispensing or handling alcoholic beverages/ flavorings.	32A-4-106(16)(a)	R81-4A-9(2)	SER
8. Minor employee under 16 years of age entering an alcoholic beverage sale in a cash register.	32A-4-106(16)(b)		SER
9. Employee purchasing alcoholic beverages for a patron.	32A-4-106(13)(b)		MOD
10. Employee allowing a patron to leave with an open container of alcoholic beverages.	32A-4-106(15)(a)		SER
11. Supervisor or manager convicted of (or arrested for) designated offense.	32A-4-103(2), (3), (6)		*f

H. FLAVORINGS:

1. Improper or no labeling of drink flavorings ("flavoring").	32A-4-106(2)(a)(iv)		SER
2. No labeling of cooking flavorings ("cooking flavoring").		R81-4A-9(1)	SER
3. Secondary ingredient is only liquor in mixed drink.	32A-4-106(2)(a)(i, ii) 32A-12-222		SER, *c
4. Minors handling flavorings.	32A-4-106(16)(a)	R81-4A-9(2)	SER
5. Floor plan does not designate where flavorings are stored.	32A-4-106(2)(a)(iii)		MIN

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I. <u>LICENSE:</u>	<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
1.	Unapproved transfer of license to another location.	32A-4-106(24) 32A-12-301(1)(a)		GR, *b
2.	Attempt to sell, transfer, barter, give, etc. license to another entity.	32A-4-102(3) 32A-4-106(25)(a)		GR
3.	DABC license not displayed.	32A-4-106(19)(a)		MIN
4.	Selling alcoholic beverages during a license suspension.	32A-4-101(1) 32A-12-301(1)(a)		GR, *b
5.	Operating without a license.	32A-4-101(1) 32A-12-201(7), -301(1)(a)		GR, *b
6.	Failure to post suspension sign.	32A-1-119(6)(e)		GR

J. <u>LICENSEE:</u>	<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
1.	After the day the restaurant license is granted a partner, managing agent, manager, officer, director, 20% stockholder, 20% LLC member, or employee in a supervisory or managerial capacity <u>is found to have been convicted</u> of any of the following offenses <u>prior</u> to the license being granted: a. a felony; b. a violation concerning the sale, manufacture, distribution, warehousing, adulteration, or transportation of alcoholic beverages; or c. a crime of moral turpitude. d. driving under the influence of alcohol, any drug, or the combination of the two – twice within 5 years.	32A-4-103(2)(a) 32A-4-103(6)	R81-1-16	*f

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2. On or after the day the restaurant club license is granted, a partner, managing agent, manager, officer, director, 20% stockholder, 20% LLC member, or employee in a supervisory or managerial capacity <u>is convicted of</u> : a. a felony; b. a violation concerning the sale, manufacture, distribution, warehousing, adulteration, or transportation of alcoholic beverages; c. a crime of moral turpitude; or d. driving under the influence of alcohol, any drug, or the combination of the two for a second time within 5 years.	32A-4-103(2)(b) 32A-4-103(6)	R81-1-16	*f
3. On or after the day the restaurant license is granted, a partner, managing agent, manager, officer, director, 20% stockholder, 20% LLC member, or employee in a supervisory or managerial capacity <u>is arrested for</u> : a. a felony; b. a violation concerning the sale, manufacture, distribution, warehousing, adulteration, or transportation of alcoholic beverages; c. a crime of moral turpitude; or d. driving under the influence of alcohol, any drug, or the combination of the two for a second time within 5 years.	32A-4-103(3) 32A-4-103(6)	R81-1-16	*f
4. Falsification/tampering with records.	32A-4-106(21)(e) 32A-12-303(2) 32A-12-304		GR, *b, *d
5. False statement.	32A-12-304		GR, *d
6. A minor is found to be serving as a partner, managing agent, manager, officer, director, 20% stockholder, or 20% member of an LLC.	32A-4-103(5)		*f
7. Licensee purchasing alcoholic beverages for a patron.	32A-4-106(13)(a)		MOD
8. Failure to notify department of any change in ownership.	32A-4-102(3) 32A-4-106(25)(a)		*f

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9. Requiring that a person be willing to serve alcoholic beverages as a condition of employment.	32A-4-106(27)		GR
10. Licensee no longer possesses qualifications required for obtaining the license.	32A-4-103(6)		*f, *g

K. MULTIPLE-LICENSED FACILITY STORAGE AND SERVICE:

1. Failure to keep daily dispensing records showing the amount of liquor and/or wine dispensed to each licensed location.		R81-1-11(2)(a)	MOD
2. Failure to keep daily dispensing records showing amount of beer dispensed to each licensed location.		R81-1-11(2)(b)	MOD
3. Point of sale system does not record the amounts of each alcoholic beverage product sold in each location.		R81-1-11(2)(c)	MOD
4. Dispensing and sales records not balanced daily.		R81-1-11(2)(c)	MOD
5. Cost allocations of each alcoholic beverage product cost not made on a monthly basis.		R81-1-11(2)(d)	MOD
6. Dispensing alcoholic beverages to a licensed location on a prohibited day or time pertinent to that license type.		R81-1-11(2)(e)	MOD
7. Liquor unlocked at times not allowed for a license type when storage area is shared.		R81-1-11(2)(f)	MOD
8. Using multiple dispensing and/or storage without first obtaining department approval.		R81-1-11(2)(h) & (3)(a)	MOD
9. Inability to account for each licensee's alcoholic beverages when using a common storage area.		R81-1-11(3)(b)	MOD

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L. OPERATIONS:	<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
1.	Closure in excess of 240 hours without notification and approval of the department.	32A-4-106(22)(a, b, e)		*g
2.	Closure in excess of 90 days without Commission approval.	32A-4-106(22)(c)		*g
3.	Failure to reopen and resume business by the approved date.	32A-4-106(22)(f)		*g
4.	Seasonal operator opening on days outside the designated season.	32A-4-101(1) & (3)(c)(ii) 32A-12-202, -301(1)(a)		MOD, *b
5.	Minors handling alcoholic beverages/ flavorings.	32A-4-106(16)(a)	R81-4A-9(2)	SER
6.	Minor employee under 16 years of age entering an alcoholic beverage sale in cash register.	32A-4-106(16)(b)		SER
7.	Warning sign not displayed.	32A-4-106(19)(c)		MIN
8.	DABC license not displayed.	32A-4-106(19)(a)		MIN
9.	List of types and brand names of liquor being served through metering system not posted.	32A-4-106(19)(b)	R81-1-9(4)(i)	MIN
10.	No printed price list available for patrons.		R81-4A-12(1)(a, b, & c)	MIN
11.	Price list does not include the price of service charges for wine or heavy beer.		R81-4A-12(1)(a)	MIN
12.	Failure to maintain 70% food sales.	32A-4-106(23) 32A-4-103(6)	R81-4A-7(2)(b)	*f
13.	Refusing proper entry to the department, commission, or law enforcement officers.	32A-4-102(1)(j) 32A-12-305 32A-13-109		GR, *b
14.	Selling liquor not purchased through DABC (possession of illegal liquor).	32A-4-106(1)(a) 32A-12-201(7), -214, -208, -218		GR, *b, *d
15.	Not following department liquor order and return procedures.	32A-4-106(1)	R81-4A-5	MOD
16.	Bad checks tendered to department.	32A-1-113(5) 32A-4-106(1)(c)	R81-1-3(6)	*e, *g

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*c - Class "C" misdemeanor
*d - 2nd degree felony

*e - See rule
*f - Licensee/permittee qualification

*g - See statute
*h - 3rd degree felony

FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
17. Possess, purchase, sell, or acquire illegal beer.	32A-4-106(5)(b)(ii), (c) 32A-10-101(3) 32A-10-102(1) 32A-12-201(7), -208		GR, *a, *b
18. Dispensing primary liquor in mixed drinks without using a metered dispensing system (free-pouring).	32A-4-106(2) 32A-12-222		SER, *c
19. Purchase beer from other than designated licensed wholesaler.	32A-10-102(1)(b) 32A-12-208		MOD, *b
20. Allowing a patron to bring alcoholic beverages onto the premises (except bottled wine). (brown-bagging)	32A-4-106(14) 32A-12-201(7), -213		SER, *b
21. Allowing patron to bring illegal wine onto premises (no state label).	32A-12-218, 32A-12-213(2)	R81-1-3(1) & (2)	SER, *b
22. Allowing a patron to leave the premises with an open container of alcoholic beverages.	32A-4-106(15)		MOD
23. Attire and conduct violations including allowing lewd acts or visual reproductions depicting lewd acts.	32A-1-601, -602, -604		GR
24. Allowing gambling or video gambling devices on the premises of the restaurant.	32A-4-106(20)		GR
25. Obstructing an officer or department representative from making a search or investigation.	32A-4-102(1)(j) 32A-12-305 32A-13-109		GR, *b
26. Offering free alcoholic beverages to patrons.	32A-4-106(12)(g) 32A-12-401(4), (5)	R81-1-17(6)(m), (7)	MOD, *b, *g
27. Permitting a person to become intoxicated, or an intoxicated person to consume.	32A-12-216(1)(a)		GR, *c
28. Failure to obtain department approval for multiple licensed facility storage and service.		R81-1-11(2)(h)	MOD
29. Unauthorized multiple locations (hotels).	32A-4-101(3)(d) 32A-12-202		MOD, *b
30. Licensee purchasing alcoholic beverages for a patron.	32A-4-106(13)(a)		MOD
31. Failure to post suspension sign.	32A-1-119(6)(e)		GR

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FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

Descriptions	Code Citation	Rule Citation	Degree
32. Knowingly allowing illegal drug activity on premise.	32A-4-106(28)		GR
33. Allowing a minor to be seated at any bar structure.	32A-4-106(7)(d)(iii)		MOD

M. SALES

1. Selling liquor not purchased through DABC.	32A-4-106(1)(a) 32A-12-201(1, 7), -214, -208, -218		GR, *b, *d
2. Selling illegally acquired beer.	32A-4-106(5)(b)(ii), (c) 32A-10-101(3) 32A-10-102(1) 32A-12-201(7), -208		GR, *a, *b
3. Sale of, or offered for sale, liquor during unauthorized days, times, or places.	32A-4-106(9)(a) 32A-12-202	R81-4A-6 R81-4A-9(1)	MOD, *b
4. Sale of, or offered or sale, beer during unauthorized days, times, or places	32A-4-106(9)(b) 32A-10-206(4)(a) 32A-12-202		MOD, *b
5. Free-pouring (primary liquor not dispensed through metered dispensing system).	32A-4-106(2) 32A-12-222	R81-1-9(4)(a)	SER, *c
6. Sell, deliver, or furnish alcoholic beverages to:			
a. minor	32A-4-106(11)(a) 32A-12-203		SER, *a, *b
b. intoxicated person	32A-4-106(11)(b) 32A-12-204		GR, *a, *b
c. any known habitual drunkard	32A-4-106(11)(c)		GR
d. any known interdicted person	32A-4-106(11)(d) 32A-12-205		GR, *b

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FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
7. Sale of alcoholic beverages <i>by</i> a minor.	32A-4-106(16)	R81-4A-9(2)	SER
8. Sale of alcoholic beverages during emergencies.	32A-12-207		GR, *b
9. Sale of alcoholic beverages without a license or during a license suspension.	32A-4-101(1) 32A-12-301(1)(a)		GR, *b
10. Sale of mixed beverages with more than 1.5 ounces of primary spiritous liquor (e.g.: doubles).	32A-4-106(2) 32A-12-222(2)(a)	R81-1-9(4)(a)	SER, *c
11. Sale of more than 1.5 ounces of primary spirituous liquor per person in pitchers of mixed beverages.	32A-4-106(2) 32A-12-222(2)(a)	R81-1-9(4)(h)	SER, *c
12. Sale of dispensed wine in portions exceeding 5 ounces.	32A-4-106(3)(a)(i)		MOD
13. Sale of heavy beer in original container exceeding 1 liter.	32A-4-106(4)(a)		SER
14. Sale of 3.2 beer in an open container exceeding 2 liters.	32A-4-106(5)(a)(ii) 32A-12-206		SER, *b
15. Sale of 3.2 beer to an individual patron in an open container exceeding 1 liter.	32A-4-106(5)(a)(ii)		SER
16. Sale of wine in a 1.5 liter or larger container to a table of fewer than four patrons.	32A-4-106(3)(b)(i)		MOD
17. Sale of more than two alcoholic beverages to a patron at a time.	32A-4-106(7)(e) 32A-12-222(2)(c)		SER, *c
18. Allowing a patron to dispense their own alcoholic beverages.	32A-4-106(7)(b)		GR
19. Sale of beverages containing more than 2.5 ounces of spirituous liquor.	32A-4-106(2)(c) 32A-12-222(2)(b)		SER, *c

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FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
20. Discounting prices:			
a. Selling liquor at prices other than those fixed by the commission.	32A-4-106(12)(a)(i, ii)		MOD
b. Selling alcoholic beverages at less than cost.	32A-4-106(12)(b)		MOD
c. Selling alcoholic beverages at a special or reduced cost that encourages over consumption or intoxication.	32A-4-106(12)(c)		MOD
d. Selling alcoholic beverages for special or reduced prices at certain times. (happy hour)	32A-4-106(12)(d)		MOD
e. Selling more than one alcoholic beverage for the price of a single alcoholic beverage.	32A-4-106(12)(e)		MOD
f. Selling of an indefinite or unlimited number of alcoholic beverages during any set period for a fixed price.	32A-4-106(12)(f)		MOD
21. Misrepresenting the brand of liquor contained in a drink.	32A-12-219	R81-1-9(4)(j)(ii)	GR
22. Misrepresenting the price of an alcoholic beverage.		R81-4A-12(d)	GR
23. Selling any brand of spirituous liquor not identical to that ordered by the patron.	32A-12-219	R81-1-9(4)(j)(i)	GR
24. Sale of alcoholic beverages without an order of food.	32A-4-106(10),	R81-4A-7	SER
25. No written or improper alcoholic beverage tab.	32A-4-106(26)	R81-4A-7	GR
26. When operating a dually licensed premises, selling liquor during hours restricted to beer sales.		R81-4A-1(2)(b) & (c)	SER

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FULL SERVICE RESTAURANTS / 32A-4 (Part 1) - VIOLATION GRID

<u>Descriptions</u>	<u>Code Citation</u>	<u>Rule Citation</u>	<u>Degree</u>
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N. STORAGE

1. Change of floor plan without department approval.	32A-4-102(1)(g) 32A-4-106(6)	R81-4A-1(d) R81-4A-8	MOD
2. Floor plan does not designate where flavorings are stored.	32A-4-106(2)(a)(iii)	R81-4A-8	MIN
3. Liquor storage not locked at all times other than those hours and days when sales and service are authorized.	32A-4-106(8)		MOD
4. When operating a dually licensed premises, liquor storage not locked at times other than those hours and days when sale and service of liquor is authorized.		R81-4A-1(2)(d)	MOD
5. Open and unmarked bottles in storage area.		R81-1-9(4)(c)	MOD
6. Liquor bottles in use with a remote dispensing system not in locked storage area.		R81-1-9(4)(c)	MOD

O. OTHER

1. Unlawful importations.	32A-12-201(1), (2), & (7), -214		GR, *h
2. Liquor on premises with no official state label.	32A-12-201(7), 212, -214, 218(1)(b)		GR, *b

P. TRADE PRACTICES

See violation grid - Industry Trade Practices.

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