

**DEPARTMENT OF STATE
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
200 Definitions**

**203 (Formerly Rule 36) Delivery, Sale and Consumption of Alcoholic Liquors for On-Premises
Consumption**

1.0 Purpose and Scope

This rule defines the term "Delivery", "Sale", "Service" and "Consumption" of alcoholic liquors and prescribes the hours of the day when alcoholic liquors may be delivered, sold and consumed, under the provisions of 4 **Del.C.** §709.

2.0 Definitions

"Consumption" of alcoholic liquors means the act of drinking or eating alcoholic beverages, includes possession of an alcoholic beverage with the present ability to drink or eat it.

"Delivery" of alcoholic liquors means the transfer of possession or custody of alcoholic liquors from 1 person to another.

"Sale" of alcoholic liquors means solicit or receive an order for; keep or expose for sale, deliver for value or in any other way than purely gratuitously.

"Service" of alcoholic liquors means the delivery of alcoholic beverages.

"Time of Day" means prevailing local time in the State of Delaware as fixed by Executive Order or pursuant to the Uniform Time Act of 1966, 15 U.S.C. §260, et seq.

3.0 Prohibited Acts

No person licensed by the Commissioner shall sell, serve or deliver alcoholic liquors on, in or from an establishment licensed for On-premises consumption between the hours of 1:00 A.M. and 9:00 A.M. No alcoholic liquors shall be consumed on licensed premises between the hours of 2:00 A.M. and 9:00 A.M.

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