
**TITLE 4 ALCOHOLIC BEVERAGES AND MARIJUANA
DELAWARE ADMINISTRATIVE CODE**

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**DEPARTMENT OF STATE
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER
500 Initial and Temporary Licensure**

503 (Formerly Rule 21) A Rule Providing Specifications For All On-Premises Establishments

1.0 Approval of Conditions of Premises

Before issuance of a license or renewal of license to sell alcoholic liquor in an on-premises establishment, the premises must be approved as to condition by the Commissioner through an inspection by the DATE or employees of the Commissioner's staff.

2.0 The following general rules shall govern with respect to on-premises establishments:

- 2.1 Each dispenser of alcoholic beverages shall bear the name of the product dispensed therefrom.
- 2.2 On-premises establishments shall maintain standards consistent with the requirements of the Division of Public Health or the appropriate local agency having similar jurisdiction in the service of drinks and food, if applicable, including normal standards of cleanliness and shall have proper facilities for the cleansing of reusable utensils, glasses, dishes, etc.
- 2.3 An area where alcoholic liquor is sold, served, dispensed or consumed shall be visible from the outside and shall be sufficiently lighted so as to permit the viewing of persons on the premise at all time that patrons and/or employees are on the premises, whether during or outside of normal operating hours.
 - 2.3.1 The provisions of this section shall not apply to the rooms of a hotel.
 - 2.3.2 The Commissioner may, for cause and upon request, grant a variance to the requirement.
- 2.4 If other parts of the building in which an on-premises establishment is located are occupied as living quarters, there shall be no doors communicating with the licensed areas unless authorized in writing by the Commissioner:
- 2.5 Adequate, separate and secure storage facilities approved by the Commissioner must be available on the licensed premises for the storage of all alcoholic liquors for establishments operating during prohibited hours of sale.
- 2.6 The approved hours and days of operation must be posted in a conspicuous place in order that all customers may be properly informed.
- 2.7 Decals purchased through the Commissioner, stating the legal drinking age in the state and warning pregnant women of the risk of birth defects from the consumption of alcoholic beverages must be conspicuously displayed at each entrance to the premises.
- 2.8 The license for the current year must be posted in a conspicuous place on the licensed premises.
- 2.9 (Formerly Rule 22) All alcoholic liquors shall, within one-half hour after legal sales of alcoholic liquors cease, be placed in adequate storage facilities out of reach of patrons.

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