

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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1

HOUSE BILL 770

Short Title: ABC Catering Service Permit.

(Public)

Sponsors: Representative Payne.

Referred to: Finance.

April 15, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A CATERING SERVICE PERMIT.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 18B-1000 is amended by adding a new subdivision to read:

5 "(10) Catering Service.—An establishment engaged in the business of
6 regularly and customarily selling food, primarily to be eaten at special
7 occasions as defined by G.S. 18B-301(c)."

8 Sec. 2. G.S. 18B-1001 reads as rewritten:

9 "**§ 18B-1001. Kinds of ABC permits; places eligible.**

10 When the issuance of the permit is lawful in the jurisdiction in which the premises is
11 located, the Commission may issue the following kinds of permits:

12 (1) On-Premises Malt Beverage Permit. – An on-premises malt beverage
13 permit authorizes the retail sale of malt beverages for consumption on
14 the premises and the retail of sale of malt beverages in the
15 manufacturer's original container for consumption off the premises.

16 The permit may be issued for any of the following:

- 17 a. Restaurants;
18 b. Hotels;
19 c. Eating establishments;
20 d. Food businesses;
21 e. Retail businesses;
22 f. Private clubs;
23 g. Convention centers;
24 h. Community theatres.

- 1 The permit may also be issued to certain breweries as authorized by
2 G.S. 18B-1104(7).
- 3 (2) Off-premises Malt Beverage Permit. – An off-premises malt beverage
4 permit authorizes the retail sale of malt beverages in the
5 manufacturer's original container for consumption off the premises.
6 The permit may be issued for any of the following:
7 a. Restaurants;
8 b. Hotels;
9 c. Eating establishments;
10 d. Food businesses;
11 e. Retail ~~businesses~~-businesses;
12 f. Catering service.
- 13 (3) On-Premises Unfortified Wine Permit. – An on-premises unfortified
14 wine permit authorizes the retail sale of unfortified wine for
15 consumption on the premises, either alone or mixed with other
16 beverages, and the retail sale of unfortified wine in the manufacturer's
17 original container for consumption off the premises. The permit may
18 be issued for any of the following:
19 a. Restaurants;
20 b. Hotels;
21 c. Eating establishments;
22 d. Private clubs;
23 e. Convention centers;
24 f. Cooking schools;
25 g. Community theatres;
26 h. Winery.
- 27 (4) Off-Premises Unfortified Wine Permit. – An off-premises unfortified
28 wine permit authorizes the retail sale of unfortified wine in the
29 manufacturer's original container for consumption off the premises.
30 The permit may be issued for retail businesses. The permit may also be
31 issued for a winery for sale of its own unfortified wine.
- 32 (5) On-Premises Fortified Wine Permit. – An on-premises fortified wine
33 permit authorizes the retail sale of fortified wine for consumption on
34 the premises, either alone or mixed with other beverages, and the retail
35 sale of fortified wine in the manufacturer's original container for
36 consumption off the premises. The permit may be issued for any of the
37 following:
38 a. Restaurants;
39 b. Hotels;
40 c. Private clubs;
41 d. Community theatres;
42 e. Winery.
- 43 (6) Off-premises Fortified Wine Permit. – An off-premises fortified wine
44 permit shall authorize the retail sale of fortified wine in the

- 1 manufacturer's original container for consumption off the premises.
2 The permit may be issued for food businesses. The permit may also be
3 issued for a winery for sale of its own fortified wine.
- 4 (7) Brown-bagging Permit. – A brown-bagging permit authorizes each
5 individual patron of an establishment, with the permission of the
6 permittee, to bring up to four liters of fortified wine or spirituous
7 liquor, or four liters of the two combined, onto the premises and to
8 consume those alcoholic beverages on the premises. The permit may
9 be issued for any of the following:
- 10 a. Restaurants;
11 b. Hotels;
12 c. Private clubs;
13 d. Community theaters;
14 e. Congressionally-chartered veterans organizations.
- 15 (8) Special Occasion Permit. – A special occasion permit authorizes the
16 host of a reception, party or other special occasion, with the permission
17 of the permittee, to bring fortified wine and spirituous liquor onto the
18 premises of the business and to serve the same to his guests. The
19 permit may be issued for any of the following:
- 20 a. Restaurants;
21 b. Hotels;
22 c. Eating establishments;
23 d. Private clubs;
24 e. Convention centers.
- 25 (9) Limited Special Occasion Permit. – A limited special occasion permit
26 authorizes the permittee to bring fortified wine and spirituous liquor
27 onto the premises of a business, with the permission of the owner of
28 that property, and to serve those alcoholic beverages to the permittee's
29 guests at a reception, party, or other special occasion being held there.
30 The permit may be issued to any individual other than the owner or
31 possessor of the premises. An applicant for a limited special occasion
32 permit shall have the written permission of the owner or possessor of
33 the property on which the special occasion is to be held.
- 34 (10) Mixed Beverages Permit. – A mixed beverages permit authorizes the
35 retail sale of mixed beverages for consumption on the premises. The
36 permit also authorizes a mixed beverages permittee to obtain a
37 purchase-transportation permit under G.S. 18B-403 and 18B-404, and
38 to use for culinary purposes spirituous liquor lawfully purchased for
39 use in mixed beverages. The permit may be issued for any of the
40 following:
- 41 a. Restaurants;
42 b. Hotels;
43 c. Private clubs;
44 d. Convention centers;

- 1 e. Community theatres;
2 f. Nonprofit and political ~~organizations~~ organizations;
3 g. Catering services for premises where the service is catering a
4 special occasion as defined in G.S. 18B-301(c).

5 (11) Culinary Permit. – A culinary permit authorizes a permittee to possess
6 up to 12 liters of either fortified wine or spirituous liquor, or 12 liters
7 of the two combined, in the kitchen of a business and to use those
8 alcoholic beverages for culinary purposes. The permit may be issued
9 for either of the following:

- 10 a. Restaurants;
11 b. Hotels.
12 c. Cooking schools.

13 A culinary permit may also be issued to a catering service to allow
14 the possession of the amount of fortified wine and spirituous liquor
15 stated above at the business location of that service and at the cooking
16 site. The permit shall also authorize the caterer to transport those
17 alcoholic beverages to and from the business location and the cooking
18 site, and use them in cooking."

19 Sec. 3. G.S. 18B-902(d) reads as rewritten:

20 "(d) Fees. – An application for an ABC permit shall be accompanied by payment
21 of the following application fee:

- 22 (1) On-premises malt beverage permit – \$100.00.
23 (2) Off-premises malt beverage permit – \$100.00.
24 (3) On-premises unfortified wine permit – \$100.00.
25 (4) Off-premises unfortified wine permit – \$100.00.
26 (5) On-premises fortified wine permit – \$100.00.
27 (6) Off-premises fortified wine permit – \$100.00.
28 (7) Brown-bagging permit – \$200.00, unless the application is for a
29 restaurant seating less than 50, in which case the fee shall be \$100.00.
30 (8) Special occasion permit – \$200.00.
31 (9) Limited special occasion permit – \$25.00.
32 (10) Mixed beverages permit – \$750.00.
33 (11) Culinary permit – \$100.00.
34 (12) Unfortified winery permit – \$100.00.
35 (13) Fortified winery permit – \$100.00.
36 (14) Limited winery permit – \$100.00.
37 (15) Brewery permit – \$100.00.
38 (16) Distillery permit – \$100.00.
39 (17) Fuel alcohol permit – \$10.00.
40 (18) Wine importer permit – \$100.00.
41 (19) Wine wholesaler permit – \$100.00.
42 (20) Malt beverage importer permit – \$100.00.
43 (21) Malt beverage wholesaler permit – \$100.00.
44 (22) Bottler permit – \$100.00.

- 1 (23) Salesman permit – \$25.00.
- 2 (24) Vendor representative permit – \$25.00.
- 3 (25) Nonresident malt beverage vendor permit – \$25.00.
- 4 (26) Nonresident wine vendor permit – \$25.00.
- 5 (27) Any special one-time permit under G.S. 18B-1002 – \$25.00.
- 6 (28) Winery special show permit – \$100.00.
- 7 (29) Catering service permit – \$100.00."
- 8 Sec. 4. This act is effective upon ratification.