



## WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATION

### INSTRUCTIONS FOR COMPLETING NONINTOXICATING BEER FLOOR PLAN EXTENSION

Please read all instructions carefully.

#### INSTRUCTIONS

##### Nonintoxicating Beer Floor Plan Extension Requirements:

- (1) All requests for a "Nonintoxicating Beer Floor Plan Extension" must be made on the ABCA form (ABCA192FP.EXT).
- (2) A license fee of \$50.00 must accompany your "Nonintoxicating Beer Floor Plan Extension" application, "Nonintoxicating Beer Floor Plan Extension" fees are \$50.00 for each day of the event. License fees must be paid by Certified Check, Cashier's Check or Money Order. Personal checks, business checks or cash **will not** be accepted. Make checks payable to the WVABCA.
- (3) Licensees must fill out a detailed floor plan on the "Nonintoxicating Beer Floor Plan Extension" form (ABCA-192FP.EXT) including: descriptions, measurements, promotional area and any other pertinent information.
- (4) Licensees must provide a detailed description of additional staff/security that will be responsible for the patrons in the "Nonintoxicating Beer Floor Plan Extension" area.
- (5) Licensees shall obtain a letter of endorsement on official letterhead for the "Nonintoxicating Beer Floor Plan Extension " from one of the following:
  - (a) If held outside of a municipality, the letter must be signed by at least one County Commissioner.
  - (b) If held within a municipality, the letter must be signed by the Mayor, City Manager or the Mayor's designee.

**NOTE: If the Municipality has an "open container ordinance" it must indicate in the endorsement letter that the ordinance has been waived in the "Nonintoxicating Beer Floor Plan Extension" area.**
- (6) Nonintoxicating beer, nonintoxicating craft beer and flavored malt beverages are the only beverages containing alcohol that may be served in the " Nonintoxicating Beer Floor Plan Extension" area. **No liquor or wine may be sold, served or consumed in the area.**
- (7) Patrons may not carry nonintoxicating beer, nonintoxicating craft beer or non-alcoholic drinks off the licensed premises or the "Nonintoxicating Beer Floor Plan Extension" area.



- (8) The "Nonintoxicating Beer Floor Plan Extension " area must be cordoned off by some type of temporary fencing or barrier. The fencing must be approved by the ABCA. The fencing must impede ingress and egress of the patrons and any persons outside of the "Nonintoxicating Beer Floor Plan Extension" area.
- (9) The "Nonintoxicating Beer Floor Plan Extension" may not in any way detrimentally affect the peace or quietude of the surrounding community or resident.
- (10) Distributors may provide beer delivery trucks for additional stock of nonintoxicating beer. Nonintoxicating beer may not be sold out of the delivery truck. The delivery truck is only to be used for cold storage. All sales must be made within the licensed establishment or "Nonintoxicating Beer Floor Plan Extension" area. Beer Distributors' delivery trucks must be parked in an area where deliveries normally would be made and may not be used as an advertisement or promotional piece. Draft trucks may not be used for "Nonintoxicating Beer Floor Plan Extensions".
- (11) Any violations of WV State Code or Legislative Rules may result in sanctions, including but not limited to: monetary penalties, suspension, the revocation of the "Nonintoxicating Beer Floor Plan Extension " and/or may result in the denial of any future request s.
- (12) All activities held within the "Nonintoxicating Beer Floor Plan Extension" must cease at midnight. Any municipal ordinance requiring the cessation of noise or activities prior to midnight must be observed.

**NOTE:** The ABCA will conduct an independent investigation of the licensee submitting a "Nonintoxicating Beer Floor Plan Extension". The prior history of operations and/or any violations will be considered in addition to this request. Further, the "Nonintoxicating Beer Floor Plan Extension" is a privilege and as such the ABCA will determine if licensees warrant this privilege.

Mail Completed Application To:

West Virginia Alcohol Beverage Control Administration  
Attn: Licensing Department  
900 Pennsylvania Avenue, 4<sup>th</sup> Floor  
Charleston, WV 25302



ABCA-192 FP.EXT. (April 26, 2019)

# WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATION NONINTOXICATING FLOOR PLAN EXTENSION ON-PREMISES

County: \_\_\_\_\_

WVABCA License Number: \_\_\_\_\_

<input type="checkbox"/> _____ # of days for Nonintoxicating Floor Plan Extension  * Fee: \$50.00 per Day	<input type="checkbox"/> Dates and Times _____(date) Start _____ End _____(times) _____(date) Start _____ End _____(times) _____(date) Start _____ End _____(times) _____(date) Start _____ End _____(times) _____(date) Start _____ End _____(times) _____(date) Start _____ End _____(times)
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Name of Establishment (DBA): \_\_\_\_\_

Phone No: \_\_\_\_\_ Licensee's or Managers Name: \_\_\_\_\_

(1) Name of Event: \_\_\_\_\_

(2) Distance to nearest residence: \_\_\_\_\_ Distance to nearest church: \_\_\_\_\_  
Distance to nearest school: \_\_\_\_\_ Distance to nearest government building: \_\_\_\_\_

(3) Please provide details and information regarding the event (purpose, entertainment, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4) List complete information in the form of a diagram (on the second page), giving measured dimensions of the proposed area for the extension and a description of how the area is to be designated as a containment area (fenced or bound area) for patrons of the establishment. Please provide detailed information regarding the designated area and connection to the currently licensed premises.

(5) County and Municipal Endorsement/Consent:  
Licensees must obtain a letter of endorsement on official letterhead for the "Nonintoxicating Floor Plan Extension" from the following:  
a) If held outside of a municipality, the letter must come from the County Commission.  
b) If held within a municipality the letter must be signed by the Mayor, City Manager or Mayor's designee.

Letters must accompany the application.



(6) Please provide details concerning security and additional staff within the “Nonintoxicating Floor Plan Extension” area:

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Floor plan extension **must** show the exact area and measurements of the “Nonintoxicating Floor Plan Extension” area in relationship to the licensed establishment. The area must be contiguous, adjoining and bounded area, such as a parking lot or outdoor area, which shall for the temporary period encompass the licensee’s licensed premises.

Keep one (1) copy at the licensed premises.

(Provide Dimensions)

I, \_\_\_\_\_ (Print), have received and read the requirements and attest to the fact that all preceding information is true and accurate and that all individuals and/or controlling members listed on the license are aware of the submission of an application for a “Nonintoxicating Floor Plan Extension” license.

Licensee’s Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_