

Outdoor Dining & Outdoor Street Dining

With submission of an application and prior approval of the commissioner and when licensed to do so*, a **Class A Retail Licensee** may, sell, serve, and furnish liquor, wine and nonintoxicating beer or nonintoxicating craft beer, when licensed for nonintoxicating beer, wine or liquor, to be consumed on-premises in a legally demarcated area which may include a temporary nonintoxicating beer or nonintoxicating craft beer, private wine or private (liquor, wine or beer) outdoor dining area or outdoor street dining area for the applicable sales.

- The Class A Licensee shall submit to the commissioner:
 - the municipal or county approval of the outdoor dining area or outdoor street dining area (for outdoor street dining a municipality must close the street for set days and times); and,
 - a revised floorplan requesting to sell liquor, wine and nonintoxicating beer or nonintoxicating craft beer, as the licensee is licensed for such sales, subject to the commissioner's requirements, in an **approved and bounded** outdoor area.
 - The **approved and bounded** area need not be adjacent to the licensee's licensed premises, but in close proximity, for outdoor dining. "Close proximity" means an available area within 150 feet of a licensee's licensed premises and under the licensee's control and with right of ingress and egress to the area.
 - This nonintoxicating beer or nonintoxicating craft beer outdoor dining may be operated in conjunction with nonintoxicating beer or nonintoxicating craft outdoor street dining; private wine outdoor dining or private wine outdoor street dining; and private outdoor dining or private outdoor street dining.
 - For purposes of this section, outdoor dining and outdoor street dining includes dining areas that are:
 - * Outside and not served by an HVAC system for air handling services and use outside air;
 - * Open to the air; and
 - * Not enclosed by fixed or temporary walls;

Note, any area where seating is incorporated inside a permanent building with ambient air through HVAC is not considered outdoor dining pursuant to this subsection.

*The ability to sell nonintoxicating beer, wine or liquor in any outdoor dining or outdoor street dining space is first based on your issued license type.