

## **IC 7.1-3-16**

### **Chapter 16. Dining Car, Boat, and Temporary Wine Permits**

#### **IC 7.1-3-16-1**

##### **Dining car wine permits**

Sec. 1. Dining Car Wine Permits. The commission may issue a dining car wine permit to a person who is the holder of, or who is capable of receiving, a dining car beer permit.

*(Formerly: Acts 1973, P.L.55, SEC.1.)*

#### **IC 7.1-3-16-2**

##### **Display of permit**

Sec. 2. Display of Permit. The original dining car wine permit shall be kept displayed at the main Indiana office of the permittee. A certificate of an officer or agent of the permittee stating that a dining car wine permit is in full force and effect for the car, or words to that effect, shall be kept displayed in each licensed dining and buffet car.

*(Formerly: Acts 1973, P.L.55, SEC.1.)*

#### **IC 7.1-3-16-3**

##### **Boat wine permits**

Sec. 3. Boat Wine Permits. The commission may issue a boat wine permit to a person who is the proprietor of a boat and who also is, and continues to be, the holder of a boat beer permit. The commission may issue a boat wine permit without publication of notice or having an investigation before a local board.

*(Formerly: Acts 1973, P.L.55, SEC.1.)*

#### **IC 7.1-3-16-4**

##### **Scope of permit**

Sec. 4. Scope of Permit. The holder of a boat wine permit shall enjoy the same privileges and be subject to the same conditions, restrictions, and limitations in regard to wine under his permit as is provided in the case of the holder of boat beer permit in regard to beer under his permit.

*(Formerly: Acts 1973, P.L.55, SEC.1.)*

#### **IC 7.1-3-16-5**

##### **Temporary wine permits**

Sec. 5. Subject to section 5.5 of this chapter, the commission may issue a temporary wine permit without publication of notice or investigation before a local board to a qualified person as provided in this chapter. In all other respects, a temporary wine permit shall be issued, revoked, and governed by the restrictions and limitations made in a provisional order or rule or regulation of the commission.

*(Formerly: Acts 1973, P.L.59, SEC.1.) As amended by P.L.73-1996, SEC.3.*

#### **IC 7.1-3-16-5.5**

##### **Temporary wine permits; town parks**

Sec. 5.5. (a) This section applies to a temporary wine permit for the sale of wine in a town park in a town having a population of less than ten thousand (10,000).

(b) The commission may not issue a temporary wine permit to a person unless:

(1) the person meets all of the requirements for a temporary wine permit under this chapter; and

(2) the town council:

(A) holds a public hearing on the request for a permit; and

(B) approves the issuance of the temporary wine permit.

(c) If a person asks a town council to approve the issuance of a temporary wine permit, the town clerk-treasurer shall notify the commission of the town council's decision to approve or disapprove the permit not later than thirty (30) days after the person's request for approval.

(d) If a person who applies for a temporary wine permit from the commission demonstrates to the satisfaction of the commission that no action was taken on the person's request by the town council under subsection (c), the commission shall consider the request to be approved by the town council.

*As added by P.L.73-1996, SEC.4.*

#### **IC 7.1-3-16-6**

##### **Persons eligible for permits**

Sec. 6. Persons Eligible for Permits. The commission may issue a temporary wine permit to a person who is qualified to hold a beer retailer's permit and who has such other qualifications as the commission may prescribe by a provisional order until it adopts a rule or regulation on the matter. However, the special disqualifications listed in IC 1971, 7.1-3-4-2(c), (h), and (m), and the residency requirements provided in IC 1971, 7.1-3-21-3, shall not apply to an applicant for a temporary wine permit.

*(Formerly: Acts 1973, P.L.59, SEC.2.)*

#### **IC 7.1-3-16-7**

##### **Reasons for permits**

Sec. 7. Reasons for Permits. The commission may issue a temporary wine permit only to (a) Enable a fair, festival, athletic event, barbecue, picnic, convention, exhibition, spectacle, or contest, to be publicly held and carried on; or

(b) Accommodate the institutional activities of an association, society, charitable or benevolent organization, or a branch of one (1) of these, or both.

*(Formerly: Acts 1973, P.L.59, SEC.3.)*

#### **IC 7.1-3-16-8**

##### **Term of permit**

Sec. 8. Term of Permit. The commission may issue a temporary wine permit for a term, to and including, fifteen (15) days from its issuance. However, if an emergency exists, in the judgment of the

commission, a temporary wine permit may be renewed for a period not to exceed fifteen (15) additional days.

*(Formerly: Acts 1973, P.L.59, SEC.4.)*

### **IC 7.1-3-16-9**

#### **Scope of permit**

Sec. 9. Scope of Permit. The holder of a temporary wine permit shall be entitled to purchase and receive wine on any day of the year, only from a lawful supplier under this title at his place of business. A lawful supplier may sell and deliver wine to a temporary wine permit holder on any day of the year at his place of business. The holder of a temporary wine permit shall be entitled to sell wine only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a temporary beer permit. A temporary wine permittee shall not be entitled to sell at wholesale nor for carry-out from the licensed premises.

*(Formerly: Acts 1973, P.L.59, SEC.5.)*