



Department of Public Safety

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The Ohio Investigative Unit has received numerous questions and complaints regarding businesses allowing customers to bring their own alcoholic beverages (BYOB) into their establishments.

Businesses with a liquor permit are strictly prohibited from allowing an open container of an alcoholic beverage on their premises that was not purchased from them. Charging corking, cup, storage or any other additional fees related to BYOB and the consumption of that alcohol on the business permit premises, may constitute the illegal sale of alcohol and result in citations for the permit holder.

Businesses without a liquor permit that allow customers to BYOB are subject to an investigation and potential criminal violations. Those violations include *keeper of a place where alcohol is sold, furnished or given away* and *illegal sales of alcohol without a permit*. Your customers may also be criminally cited for being in possession of an open container in a public place. A public place may include an event where sales or seats are open to the public to reserve, and then closed once all spots for an event have been reserved. Charging a corking, cup, storage or any additional other fees related to BYOB and the consumption of alcohol on the business premises, may constitute the illegal sale of alcohol by that business.

Non-liquor permit businesses, may rent private event space to a person, and may allow that person or his invited guests to bring in alcoholic beverages provided 1) the event is a private event and access is restricted to invited guests only, 2) the business does not charge a corking, cup, storage or any additional other fees related to BYOB and the consumption of that alcohol and 3) no alcohol is being sold (no cash bar, ticket sales, or cover charge at the door).

As always, whether an illegal sales violation has occurred, or if and whether an event is considered to be open to the public or a private event, is determined on a case by case basis. Businesses wishing to serve or allow customers to consume alcohol on their premises are encouraged to contact their legal counsel.