

123.175 Class “A” or retail wine permit application and issuance.

1. A person applying for a class “A” or retail wine permit shall submit an application electronically, or in a manner prescribed by the administrator, which shall set forth under oath the following:

a. The name and place of residence of the applicant.

b. The names and addresses of all persons or, in the case of a corporation, the officers, directors, and persons owning or controlling ten percent or more of the capital stock thereof, having a financial interest, by way of loan, ownership, or otherwise, in the business.

c. The location of the premises where the applicant intends to operate.

d. The name of the owner of the premises and if the owner of the premises is not the applicant, whether the applicant is the actual lessee of the premises.

e. When required by the administrator, and in such form and containing such information as the administrator may require, a description of the premises where the applicant intends to use the permit, to include a sketch or drawing of the premises and, if applicable, the number of square feet of interior floor space which comprises the retail sales area of the premises.

f. Whether any person specified in paragraph “b” has ever been convicted of any offense against the laws of the United States, or any state or territory thereof, or any political subdivision of any such state or territory.

g. Any other information as required by the administrator.

2. The administrator shall issue a class “A” or retail wine permit to any applicant who establishes all of the following:

a. That the applicant has submitted a completed application as required by [subsection 1](#).

b. That the applicant is a person of good moral character as provided in [section 123.3](#), [subsection 35](#).

c. That the applicant is a citizen of the state of Iowa or, if a corporation, that the applicant is authorized to do business in the state.

d. That, in the case of a class “A” wine permit, the applicant has filed with the division a basic permit issued by the alcohol and tobacco tax and trade bureau of the United States department of the treasury, and that the applicant will faithfully observe and comply with all the laws, rules, and regulations governing the manufacture and sale of wine.

e. That the premises where the applicant intends to use the permit conforms to all applicable laws, health regulations, and fire regulations, and constitutes a safe and proper place or building.

f. That the applicant gives consent to a person, pursuant to [section 123.30](#), [subsection 1](#), to enter upon the premises without a warrant during the business hours of the applicant to inspect for violations of the provisions of [this chapter](#) or ordinances and regulations that local authorities may adopt.

g. That the applicant has submitted, in the case of a class “A” wine permit, a bond in the amount of five thousand dollars in a manner prescribed by the administrator with good and sufficient sureties to be approved by the division conditioned upon compliance with [this chapter](#).

[85 Acts, ch 32, §66; 88 Acts, ch 1241, §23; 2003 Acts, ch 143, §9, 17; 2013 Acts, ch 35, §15, 16; 2017 Acts, ch 119, §13; 2018 Acts, ch 1060, §67](#)

Referred to in [§123.32](#), [123.187](#)

Subsection 2, NEW paragraph d and former paragraphs d – f redesignated as e – g