

701—1000.6(123) Licensed premises.

1000.6(1) Criteria. The following criteria must be met before a “place” (as used in Iowa Code section 123.3(29)) may be licensed as a “place susceptible of precise description satisfactory to the director.”

a. The place must be owned by or under the control of the prospective licensee or permittee for the entire duration of the applied-for license or permit.

b. The place must be solely within the jurisdiction of one local approving authority.

c. The place must be described by a sketch of the “premises” as defined in Iowa Code section 123.3(29) and showing the boundaries of the proposed place; showing the locations of selling/serving areas within the confines of the place; showing all entrances and exits; and indicating the measurements of the place.

d. The place must satisfy the health, safety, fire and seating requirements of the department, local authorities, and the department of inspections, appeals, and licensing.

e. Any other criteria as required by the director.

1000.6(2) Definitions.

“Separate premises” means:

1. A clearly defined area bounded on all sides and connecting angles by permanent, solid walls or windows extending from the floor to the ceiling, with entrances and exits that can be closed.

2. The entrances and exits shall not adjoin or provide direct access to an establishment licensed under this chapter for the sale of alcoholic beverages for consumption on the premises.

3. This term describes how holders of other retail alcohol licenses may establish a class “E” retail alcohol licensed establishment at the same physical address as their other licensed establishment.

4. The separate premises must operate independently from other licensed premises, including but not limited to:

- Maintaining a separate inventory;
- Using a separate cash register; and
- Keeping separate books and records.

“Square footage of the licensed premises” means the total interior floor area of the establishment, measured in square feet. This includes all spaces within the establishment used or to be used for:

1. Storage of alcoholic beverages;
2. Distribution of alcoholic beverages;
3. Warehousing of alcoholic beverages;
4. Display of alcoholic beverage products;
5. Wholesale operations;
6. Retail sales area; and
7. Any other spaces used in the operation of the licensed business.

This rule is intended to implement Iowa Code sections 123.3(29), 123.4, and 123.30.

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