

185—4.13(123) Outdoor service. Any licensee having an outdoor, contiguous, discernible area on the same property on which their licensed establishment is located may serve the type of alcoholic beverage permitted by the license in the outdoor area. After a licensee satisfies the requirements of this rule, the licensee may serve and sell alcoholic beverages in both the licensee's indoor licensed establishment and in the licensee's outdoor area at the same time because an outdoor area is merely an extension of the licensee's licensed premises and is not a transfer of their license. A licensee, prior to serving in the outdoor area, must file with the division:

1. A new diagram showing the discernible outdoor area.
2. Local authority approval of the outdoor area.
3. Insurance company acknowledgment that the outdoor area is covered by the dramshop insurance policy.

This rule is intended to implement Iowa Code sections 123.3(29), 123.4 and 123.38.
[ARC 7073C, IAB 9/20/23, effective 10/25/23]