

The Virginia Department of Alcoholic Beverage Control (ABC) has compiled this brochure to inform citizens, license applicants and current licensees about the various steps involved in issuing and revoking ABC licenses. This brochure explains how concerned citizens may object to an application for a license or file a complaint against an existing license, and how the retailer has the right to a hearing and ensuing appeals. For more details, contact your local ABC office listed on the back of this brochure.

Our mission is to control the distribution of alcoholic beverages; to operate efficient, conveniently located retail outlets; to enforce the laws of the Commonwealth pertaining to alcoholic beverages and youth access to tobacco products; and to provide excellent customer service, a reliable source of revenue, and effective public safety.

VA Department of Alcoholic Beverage Control
2901 Hermitage Road • P.O. Box 27491
Richmond, VA 23261-7491 • 804-213-4400
www.abc.virginia.gov

**To report a suspected
violation or make a complaint,
call ABC's Crimeline at
(866) 437-3155**

**For more information on applying for
a license or reporting a violation
contact your local ABC regional office:**

Abingdon

545 West Main Street
Abingdon, VA 24210
(276) 676-5502

Alexandria

6308 Grovedale Dr.
Alexandria, VA 22310
(703) 313-4432

Chesapeake

1103 South Military Hwy.
Chesapeake, VA 23320
(757) 424-6700

Hampton

4907 W. Mercury Blvd.
Hampton, VA 23666
(757) 825-7830

Lynchburg

20353 Timberlake Rd.
Lynchburg, VA 24502
(434) 582-5136

Richmond (North)

2901 Hermitage Road
Richmond, VA 23220
(804) 213-4620

Richmond (South)

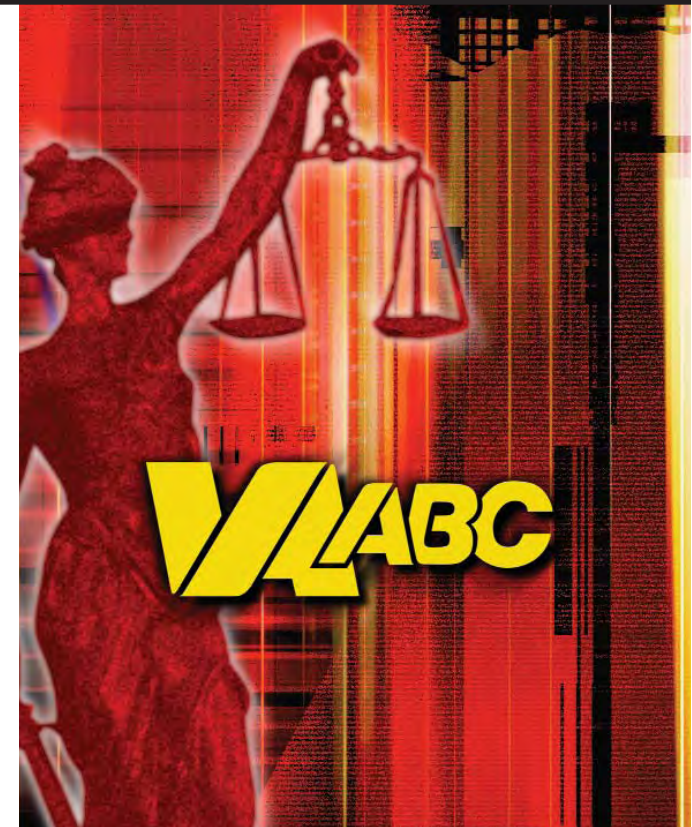
2901 Hermitage Road
Richmond, VA 23220
(804) 213-4624

Roanoke

201 Compton Street
Roanoke, VA 24012
(540) 857-6565

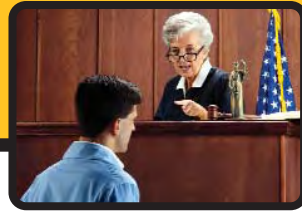
Staunton

460 Commerce Square
Staunton, VA 24401
(540) 332-7800



VIRGINIA'S LICENSING PROCESS

*Alcoholic Beverage License
Process & Regulations Overview
for Virginia Retailers & Citizens*



Types of Licenses

The ABC Board issues licenses based upon the type of beverage, type of establishment or place of consumption. The licenses allow for the sale of wine, beer, and/or mixed beverages. To obtain and keep one of these licenses, all applicants must strictly comply with a number of ABC laws and regulations.

Examples of ABC laws include: prohibiting the sale of alcohol to minors and intoxicated persons, the responsibility of the licensee to maintain complete and accurate records, restrictions on advertising, and food sale requirements.

Granting or Denying ABC License Applications

Applicants for an ABC license must:

- contact ABC for an application and detailed instructions;
- file an application with the ABC Board;
- post a notice of the application on the front door of the establishment for 10–30 days; and
- publish the notice of application twice in the local newspaper

Additionally, ABC is required to conduct a background investigation on the applicant, including a criminal history records check, and notify the local governing body of each license application. Agents contact local officials, residents and business people in the vicinity of the establishment to see if there are any objections. Some common citizen objections are that the prospective licensees' proximity to residential areas, churches and schools would adversely affect those facilities, or would affect property values.

If there are no objections by local officials or citizens, and if the agent's investigation is satisfactorily completed, the local special agent in charge can issue a license to an applicant anytime after the minimum 10-day posting period. If valid objections are raised, a hearing will take place. Your local ABC agent can provide a complete list of possible objections to a license application.

Hearings for Contested Licenses

If an application is contested, an administrative hearing is held before a hearing officer in the vicinity of the establishment in question. The license applicant and those who object to the license appear at the hearing to present their respective concerns. The applicant and objectors may choose to be represented by an attorney, but such representation is not required. While strict rules of evidence are not applied, the prospective licensee and the objectors should be prepared to provide evidence which supports their views.

If the objectors or prospective licensee are not satisfied with the hearing officer's decision, they can appeal that decision to the ABC Board. Board hearings are conducted at the ABC Central Office in Richmond. If either party is not satisfied with the Board's decision, the case can be taken before the circuit court system.

Restriction, Suspension or Revocation of an Existing License

ABC has three main methods for discovering problems associated with current licensees: site visits conducted by agents, information from other law enforcement entities and citizen complaints.

Problems leading to fines, suspension or revocation of a license can include: selling alcoholic beverages to an intoxicated person or an underage person; operating a noisy and disorderly establishment; and failure to maintain food sale requirements.

If an ABC agent finds license violations, a disciplinary hearing with a hearing officer will be conducted. Aggrieved localities and members of the community may attend the hearing and voice any relevant objections or complaints concerning the license. The appeal rights are the same as with the application process.

We Welcome Your Involvement

Community participation plays a key role in ABC's efforts to maintain public safety while providing public service to Virginians. If you have concerns about an establishment attempting to be licensed, or an existing licensed establishment, contact the ABC office in your region. In some areas of the state, community groups have arranged with their regional ABC office to be notified of each license application within a certain geographic area. Contact your regional ABC office to discuss such an arrangement.

