

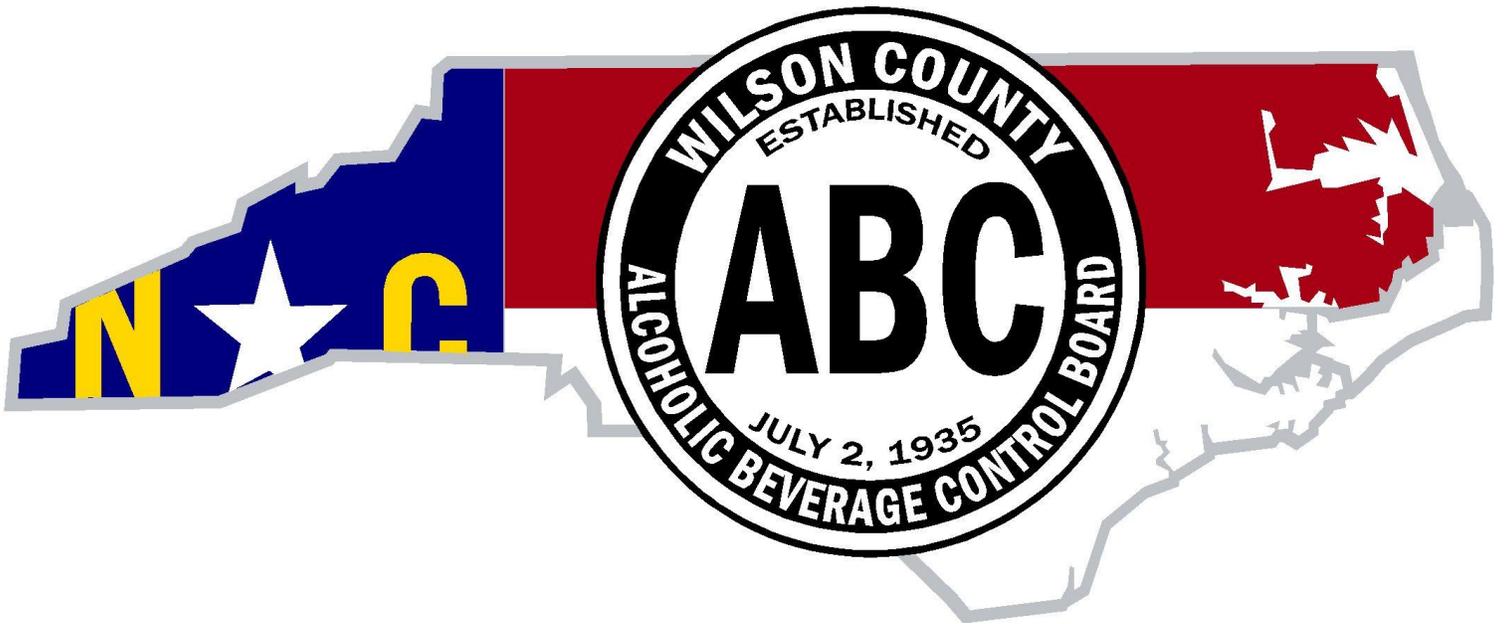
# Wilson County ABC Enforcement

Responsible

Alcohol

Sales

Education



Wilson County Alcoholic Beverage Control Board

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# **Introduction**

This guide provides a general overview of North Carolina's ABC laws, rules and best practices for serving alcohol legally and responsibly. This is a summary only; every ABC permit holder is responsible for following North Carolina's General Statutes and regulations.

There are special risks involved when selling alcohol to the public. It is a unique product and that's why, after Prohibition ended, the State of North Carolina chose to strictly control its sale. The ABC Commission issues ABC permits, and works with local ABC Enforcement officers and Alcohol Law Enforcement (ALE) officers to enforce alcohol laws and rules.

In general, alcohol laws and rules control activities that take place in bars, restaurants, and stores where alcoholic beverages are sold. They are designed for the safety and general welfare of your customers. They also require the ABC Commission to follow the activities of permittees to ensure they are offering only the services allowed under their permits. As an ABC permit holder, you are required to uphold these regulations, and you play an important role in keeping the public safe.

North Carolina's ABC laws are found in Chapter 18B of the North Carolina General Statutes. The NC ABC Commission's Rules are found within Chapter 14B of the North Carolina Administrative Code. A copy of the complete Alcoholic Beverage Control Laws and Rules is available for purchase from the ABC Commission. Or you may find the complete laws and rules online on the Wilson County ABC Board's website, [www.wilson.ncabcboards.com](http://www.wilson.ncabcboards.com).

This guide is designed to help you better understand some of North Carolina's laws and rules regarding the sale of alcohol. Further, the Wilson County ABC Board and the NC ABC Commission strives to help permitted businesses operate within North Carolina's regulations by providing good information and advice. We hope you find this guide helpful, but remember the laws and rules are the final authority for selling and serving alcohol in North Carolina.

If you have additional questions, you may contact the Wilson County ABC Enforcement, the NC ABC Commission or your local ALE office for additional information.

Contact information is located in the back of this guide.

# Section 1 – Regulations for All Permit Holders

## Alcohol Sales & Consumption

- Alcohol may not be sold or served to persons less than 21 years old.
- Alcohol may not be possessed or consumed by persons less than 21 years old, regardless of where the alcohol is purchased. If a parent provides a minor alcohol, it is illegal and not allowed in your establishment. (Exception: NCGS §18B-103.11)
- Alcohol may not be sold or served to any person who is intoxicated.
- Intoxicated persons are not allowed to consume alcoholic beverages on the licensed premises.
- Alcohol may not be purchased with food stamps.
- Happy Hours are not allowed. Free or reduced drink prices cannot be offered during limited hours. Special drink prices must be offered to all customers for the entire day and in all areas of the business.
- Certain drink specials or promotions are not allowed: 2 for 1; buy 1, get 1; buy 1, get 1 for a nickel; buy a meal (or anything), get a free drink; etc. are illegal.

## Hours of Sale

- Alcohol can only be sold and served Monday – Saturday between 7 a.m. and 2 a.m.
- On Sunday, alcohol can only be sold and served between Noon and 2 a.m. Remember, some cities or counties may allow alcohol sales starting at 10 a.m. on Sunday. However, some cities and/or counties may further restrict Sunday sales. **The City of Wilson has approved 10am Sunday sales within the city limits of Wilson only. The County has not approved 10am Sunday sales.**
- If you hold an on-premise permit, alcohol sales must end at 2 a.m., but customers have until 2:30 a.m. to consume it. That means you should have all tables, counters, bars, etc. cleared of all alcohol by 2:30 a.m.
- No alcoholic beverage may be removed from the licensed premises at any time that alcohol sales are not allowed by law.

## Business Responsibilities

- Prominently display all ABC permits at your business at all times.
- No drugs (any controlled substances) are allowed on the licensed premises.
- No gambling or gambling devices are allowed on the licensed premises.
- No spirituous liquor is allowed, unless you have an appropriate ABC permit.
- Permits are not transferable either person to person or location to location.
- Customer Conduct – Permitted businesses are responsible for the disorderly conduct of customers anywhere on their property including parking lots and outdoor service areas. Customers who

become loud, boisterous or disorderly may not be allowed to remain on the premises; they may be removed from premises for any behavior deemed unruly by the permitted business.

- Business Records – All permittees are required to maintain alcohol invoices and receipts on the premises for **three years** and make them readily available for inspection. These alcohol invoices and receipts must be kept separate from other invoices or receipts.
- Remodeling – If you wish to make changes to the physical setup of your business, you must get renovation approval from the NC ABC Commission.
- Lighting – There should be sufficient lighting to read menus, avoid potential safety hazards and check I.D.'s.
- Smoking – Smoking is not allowed in enclosed areas of restaurants and bars. For more information on the NC Smoke-Free Restaurants and Bar law, visit [www.smokefreenc.gov](http://www.smokefreenc.gov).
- Applicants seeking a temporary retail permit(s) are required to complete an approved alcohol seller/server training course prior to receiving the temporary permits. More information about training is available at [www.abc.nc.gov/education](http://www.abc.nc.gov/education).

### **Employee Requirements**

- No drinking on the job; employees cannot drink alcoholic beverages while on duty, even if the business is closed. For example, drinking a beer while sweeping the floors after closing time is not allowed; likewise, if an off-duty server comes into the business for drinks, and it gets busy, she cannot help out until it slows down. Employees who are or have been drinking cannot effectively judge the age or sobriety of customers.

### **Hiring Restrictions**

- Permit holders are responsible for any actions committed by their employee(s) during their hours of employment.
- You cannot hire an employee to sell or serve alcoholic beverages who has been: convicted of a felony of any kind within 3 years; convicted of an alcoholic beverage offense within 2 years (DWI is a traffic violation, not an ABC violation); or convicted of a misdemeanor controlled substance offense within 2 years.
- If you want to hire someone with one of these convictions, you may submit a waiver in writing to the NC ABC Commission. Waivers are only available in cases of hardship, and the permit holder/business, must submit the request (not the potential employee).

### **Employee Age Requirements**

- Businesses with any type of beer or wine permit must have an employee who is at least 18 years old or older in charge at all times. You cannot leave someone in charge who is younger than 18.
- Businesses with any type of spirituous liquor permit must have an employee who is at least 21 years old or older in charge at all times. You cannot leave someone in charge who is younger than 21.

- Permit holders with a Brown Bagging, Mixed Beverages, or Special Occasion permit must have a person in charge at all times who is at least 21 years old.
- Additional age requirements specific to the type of permit are included in Sections 2 and 4.

## **Section 2 – On-Premise Permit Holders**

In addition to regulations that all permit holders have to follow (Section 1), on-premise permit holders have other requirements to follow. On-premise permitted businesses serve and sell alcoholic beverages for consumption on-site. These businesses may choose to apply for permits that allow for the sales of malt beverages/beer, wine and/or mixed beverages/spirituous liquor drinks, as long as their local jurisdiction allows the sale of these kinds of beverages.

### **Types of Permits**

- On-premise Malt Beverage (beer) Permits can be issued to any retail business, unless beer was voted in under the “modified plan.” Check your local laws. It allows for the sale of malt beverages for consumption on the business’ premises. It also allows for off-premise sales of malt beverages as long as they are in the manufacturer’s original container.
- On-premise Unfortified Wine Permits can be issued to the following types of businesses: restaurants, hotels, eating establishments, food businesses, retail businesses, private clubs, convention centers, and community theaters. It allows for the sale of unfortified wine (below 16% alcohol by volume) for consumption on the business’ premises. It also allows for off-premise sales of unfortified wine as long as it is in the original manufacturer’s container.
- On-premise Fortified Wine Permits can be issued to the following types of businesses: restaurants, hotels, private clubs, community theaters, wineries, and convention centers. It allows for the sale of fortified wine (16-24% alcohol by volume) for consumption on the business’ premises. It also allows for off-premise sales of fortified wine as long as it is in the original manufacturer’s container.
- Mixed Beverages Permits can be issued to restaurants, hotels, private clubs, convention centers, community theaters, nonprofit organizations and political organizations. It allows for the sale of mixed alcoholic beverages for consumption on the business’ premises. It also allows the use of spirituous liquor purchased under a mixed beverage permit to be used for culinary purposes.
- A full list of alcohol permits is described at [www.abc.nc.gov](http://www.abc.nc.gov) under the Permits menu.

### **General Requirements**

- Any location that holds permits for on-premises alcohol consumption must have at least two bathrooms in working order for public use.
- On-Premise Permit Holders must recycle all recyclable beverage containers emptied and/or used on the premises.

- No advertising bearing an alcoholic beverage brand name may be displayed outside your business or in the window of your licensed premises. Some of the words that are permissible are “Beer,” “Cold Beer,” “Draft Beer,” or “Wine.”

## **Beer & Wine**

- If you hold an on-premise beer or wine permit(s), you can also sell beer or wine to be taken off the licensed premises if it’s in the manufacturer’s original container.
- Partial bottles of wine may be re-corked or re-capped and taken off the premises by the customer if during legal hours for sale.

## **Mixed Beverages**

- All Mixed Beverage Permits must be renewed by April 30th of every year.
- All spirituous liquor must be purchased from a designated ABC Store in your area.
- All Mixed Beverage Permit Holders must submit financial and liquor inventory reports to the NC ABC Commission on a schedule set by the Commission’s Audit Division.
- Every spirituous liquor bottle on the premises must have a mixed beverage tax stamp on it.
- Mixed beverage tax stamps must be defaced as soon as the bottle has been emptied and the bottle must be immediately disposed of. Once your bartender uses up all the liquor in a bottle, they should immediately deface the tax stamp and recycle the bottle (you can use a Sharpie marker to deface the stamp).
- Refilling or marrying multiple spirituous liquor bottles into one bottle is illegal – you cannot take half-empty bottles of liquor and combine them into one bottle and/or refill an empty bottle.
- A mixed drink must contain at least 1 oz. of liquor, unless a customer requests less.
- All mixed beverages must be consumed on the permitted premises; “to-go” cups or sales are not allowed (this includes both individual drinks and/or by the bottle).
- Pre-mixing of mixed beverages is allowed with the NC ABC Commission’s approval. You should submit your pre-mixed beverage recipes on-line. For instructions, please visit <https://abc.nc.gov/Documents/Index/6> and click on “Pre-mixing Request Form Instructions.”

## **Amounts Allowed to be Served**

- Only serve one drink at a time to a single customer for consumption. So, if someone wants to drink two beers during his dinner, you can only serve him one at a time; you cannot bring him both beers at one time. The only exception is that you may serve one shot and one beer together (boilermaker).
- A pitcher of alcoholic beverages must be served to two or more customers.
- A single carafe or bottle of wine is allowed to be sold to one person.
- Partial bottles of wine may be re-corked or re-capped and taken off site by the customer during legal hours of sale (restaurants & private clubs).
-

## Employee Age Requirements for On-Premise Businesses

- Mixed Beverage Permits – Bartenders or other employees who mix drinks containing spirituous liquor must be at least 21 years old.
- Beer & Wine Permits – Servers who prepare, serve, sell or deliver alcoholic beverages must be at least 18 years old.
- Minors (16 & 17-year olds) can work at a permitted business as long as they do not serve, prepare, sell or deliver any kind of alcoholic beverages. Be sure to follow all other employment laws involving minor employees as well.



## **Section 3 – Additional Regulations for Mixed Beverage**

### **Permitted Businesses**

#### **Private Clubs**

- Businesses must be open to only members and their guests.
- New members must submit a written membership application and the business must keep it on file as long as the person is a member.
- A membership roster with all member's names and addresses in alphabetical order must be kept on the premises at all times.
- Proof of membership (a membership card) must be issued to the member and kept in his/her possession.
- Management and employees cannot solicit members to sponsor non-members who arrive at the door.
- House guests are not allowed.

#### **Restaurants**

- Food sales must exceed 30% of total food and alcohol sales. Beer, wine and mixed beverage sales are included in the total alcohol sales.
- Food must be available during all business hours. A limited menu is allowed during non-dining hours.

#### **Hotels/Restaurants**

- Hotels must have a restaurant on or near the premises.
- Receipts from lodging must be greater than the receipts from alcohol sales (for hotels only).
- Lodging receipts do not apply if the restaurant is separately owned or operated.
- Restaurants must have food available during all business hours. A limited menu is allowed during non-dining hours.
- Room service may include mixed beverages as long as the person(s) buying and consuming is at least 21 years old.

## **Section 4 – Off-Premise Permit Holders**

In addition to regulations that all permit holders have to follow (Section 1), off-premise permit holders have other requirements that apply to them. Off-premise permitted businesses serve and sell alcoholic beverages for consumption at another, off-site location.

A full list of alcohol permits is described at [www.abc.nc.gov](http://www.abc.nc.gov) under the Permits menu.

### **Employee Age & General Requirements**

- Minors (16 & 17-year olds) may work at off-premise establishments (Beer & Wine Permits) in any capacity as long as the NC Department of Labor's Wage and Hour Division rules are followed.
- Retail businesses may choose to apply for off-premise permits that allow for the sales of malt beverages/beer, unfortified wine and fortified wine, as long as their local jurisdiction allows the sale of these kinds of beverages. All alcohol permits are described at [www.abc.nc.gov](http://www.abc.nc.gov) under the Permits menu.
- Off-Premise Fortified Wine permits can be issued to food businesses and wineries. Food businesses are stores that sell or offer for sale staple food items including meat, poultry, fish, fruits, vegetables, breads, cereals, juices and dairy products. In order to qualify as a food business, you need a minimum of \$1,500 of staples. The following foods are not considered staple food stock: coffee, tea, cocoa, carbonated and non-carbonated drinks, candy, condiments and spices. Basically, if a store has a good stock of milk, bread, eggs, etc., that will suffice, but if a store only carries candy, chips and sodas, no matter how large the stock, the Commission does not consider it a food business.
- Food inventory must be maintained on the licensed premises. Food may not be stored elsewhere.

### **Amounts Allowed to be Sold**

The below amounts are allowed to be sold to a single customer without a Purchase-Transportation Permit. To buy more than the stated amounts of unfortified wine and/or fortified wine, the customer must bring in a Purchase-Transportation Permit from the local ABC Store.

- Beer – Maximum of 80 liters in cans or bottles. This is equivalent to: 9 cases and 9 cans/bottles (12 oz.) 7 cases and 1 can/bottle (16 oz.) Kegs - unlimited
- Unfortified Wine – Maximum of 50 liters. This is equivalent to: (10) 5 liter containers (66) 750 milliliter bottles (50) 1 liter bottles (28) 1.75 liter bottles
- Fortified Wine – Maximum of 8 liters.

## **Section 5 – Retailers & Wholesalers**

The laws in North Carolina were designed to protect fair commercial competition between manufacturers of alcoholic beverages. Relationships between wholesalers and retailers that result in special prices, gifts or agreements to sell only particular brands, are strictly prohibited. Remember the following rules when dealing with wholesalers:

- ABC Permit holders must buy alcoholic beverages only from North Carolina licensed wholesalers.
- Mixed Beverage Permittees must buy all spirituous liquor from an assigned ABC Store so that the mixed beverage tax can be charged on each container.
- Retail Permittees may not accept or seek out any discounts, gifts, loans, rebates or entertainment from any alcoholic beverage manufacturer or wholesaler.
- Retail permittees must keep alcoholic beverage invoices for at least three years. These records must be kept separate from other invoices; invoices should be kept on the licensed premises.
- Retail permittees may not buy alcoholic beverages on credit – they must pay on delivery.
- Retail permittees may not have any financial or wholesale business association with any spirituous liquor, beer, wine wholesaler or importer or manufacturer or vice versa.
- Retail permittees may not enter into any agreement to sell any particular brand(s) of alcoholic beverages to the exclusion of another brand.
- Malt beverage and wine wholesalers may not give, lend, or rent any fixtures, equipment or supplies to retail permittees. However, they may sell certain supplies on a cash basis at fair market value.
- Wholesalers may build, rotate and restock displays and price products for the retailer of their own brands only. They may not handle other wholesalers' products.
- Manufacturers and wholesalers may not make any sale of an alcoholic beverage dependent upon the purchase of any other product.
- Retail permittees may sell or use novelties to advertise the trade name of an alcoholic beverage (such as T-shirts or hats), but must buy them at the prevailing market price. (See 14B NC Administrative Rule 15C .0709 for more.)
- Wholesalers may provide point of sale advertising materials or brand signs to the retailer, as long as they have no value other than advertising. They cannot be customized for the retailer. Usable items, such as novelties, must be sold to the retailer.

## **Section 6 – Preventing Underage Sales / Legal Drinking Age**

### **Legal Drinking Age**

In North Carolina, you must be at least 21 years old to consume, possess or buy alcohol. It is illegal to sell or serve alcoholic beverages to anyone under 21 years old. Parents can't even provide alcohol to their children who are younger than 21 years old.

Whether you work in a tavern, restaurant or store that sells alcoholic beverages, it is important to know how to prevent selling alcohol to underage customers.

### **Acceptable Forms of Identification**

In North Carolina, there are **only four** acceptable forms of identification you can use to buy alcoholic beverages:

1. Current driver's license from North Carolina or other states. Currently, when drivers renew their driver's license in our state, the NC Division of Motor Vehicles provides a paper 20 day driving certificate and then mails the permanent photo ID/driver's license to the driver. Drivers are allowed to keep their old license until the renewed license is mailed to them. The temporary, 20-day paper license is considered a valid driver's license, but the customer should also show their expired license along with the paper certificate when asked for identification.
2. U.S. Military Identification. These identifications are green and white with a photograph of the individual and physical description.
3. North Carolina Identification Card. An official State of North Carolina Special Identification (ID) card that has a photograph issued to a person who does not drive.
4. Official passport issued by any nation. Passports may be in booklet or card form. Official forms of identification include a photograph, date of birth and written or electronic signature.

A wristband is not an acceptable form of identification. Other unacceptable forms of identification include: birth certificates, school or work ID cards, Social Security Cards, bill statements or other identifications different from the four allowable ID's above.

### **Tips for Checking IDs & Spotting a Fake ID**

The most common form of ID that you will see is a driver's license. North Carolina's drivers' licenses have changed a lot in the last few years. They have several key features that will help you determine if someone is allowed to buy alcohol and/or if someone is using a fake ID.

## How to Check ID's

1. Compare the photograph and physical description to the person standing in front of you. Are they the same person? People may gain or lose weight, change their hairstyle, and even wear different color contacts on their eyes, but their height will stay the same.
2. Look for holograms and other security features.
3. Compare the large picture with the ghost image/watermark of the picture in the bottom corner. Do they match?
4. Check for tampering by feeling the ID. Is it smooth, all one piece with no frayed or worn edges? The surface should be the same thickness across the ID.
5. Remember – when in doubt, DON'T SELL!

## Stoplight Drivers' Licenses (Old Style)

North Carolina licenses use a “stoplight” theme to make identifying underage easy. There is a colored border around the photo on NC drivers' licenses, and each color signals how old the person is (see below). Each border also shows the date that the person turns 21.

In addition to the red, yellow or green border around the person's picture, anyone who is under 21 will have a vertical license. People over 21 have a horizontal license.

### **Red Border**

- Underage for tobacco and alcohol (ages 15-17)
- Vertical license

### **Yellow Border**

- Legal for tobacco, but not alcohol (ages 18-20)
- Look carefully at birth date, and expiration date; patron may be 21.
- May be vertical or horizontal license

### **Green Border**

- Legal for tobacco and alcohol (ages 21+)
- Horizontal license



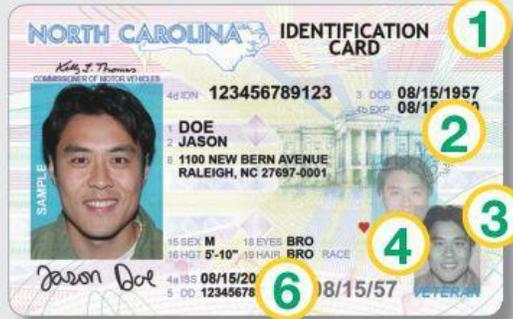
**The North Carolina Division of Motor Vehicles is issuing newly designed driver license and identification cards.**

Previously issued driver license or identification cards remain valid until their expiration date. At the time of your renewal, the redesigned card will be issued.



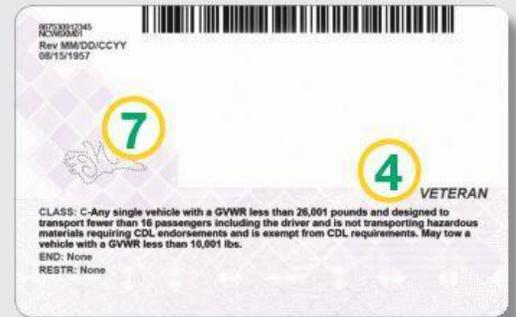
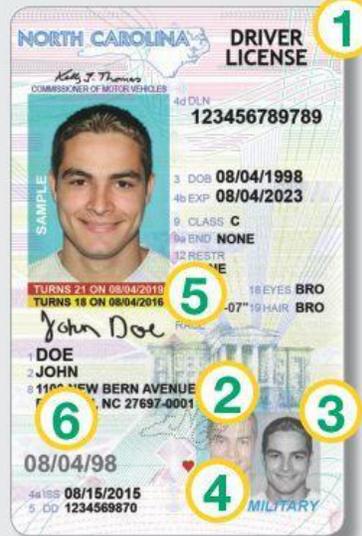
**Features of the new card:**

- 1 Teslin coating for added durability
- 2 Front laminate features images of the state outline, "NC" and "1775" (year North Carolina signed the Mecklenburg Declaration of Independence)
- 3 Overlapping ghost images (one color, one laser engraved)
- 4 Printed organ donor symbol, military designation and/or veteran designation after printing
- 5 For easy reference, "minor" credentials are vertical in format and indicate the dates in which the holder turns 18 and/or 21 years of age
- 6 Laser-engraved tactile date of birth
- 7 "NC" laser perforation



**These credentials have been designed to:**

- Avert counterfeiting
- Reduce risk of identity theft
- Decrease fraud
- Meet federally recommended security features



## Right to Refuse

The Customer Isn't Always Right! No one under 21 is allowed to buy or consume alcohol at your bar, restaurant or store no matter what they may tell you. It doesn't matter if a parent gives their child alcohol or the child sneaks it; whether a minor drinks in their own home or at your business, it is illegal for someone under 21 to consume alcohol.

- Employees can refuse to sell alcoholic beverages to any person. If you're unsure of their age or level of intoxication, you do not have to sell.
- Employees can refuse to sell alcohol to an adult they suspect is buying for minors waiting outside or sitting with them at the table.
- There is no legal recourse by a customer who you have refused a sale.
- Remember – when in doubt, DON'T SELL!



## **Section 7 – Preventing Sales to Intoxicated Customers**

It is illegal to serve or sell an alcoholic beverage to anyone who is already drunk or impaired. But how can you know if a customer has had too much to drink? It's important to know the signs of impairment, regardless of whether you work in a tavern, a restaurant or a store.

Alcohol affects everyone differently. What's more, the same customer can react differently at different times to the same number of drinks. A customer's reactions to alcohol can depend on how fast they are drinking, the amount of food they have consumed, their mood, or even the type of mixer used.

So, it may be difficult to decide when it is time to refuse service, and even more difficult to carry out your decision, especially when you are turning away a good customer. Many times, you will have to rely on your own good judgment. The key is to observe your customer carefully.

### **Signs of Impairment**

#### *Physical Coordination*

**The Drink Spiller** – Spilling drinks can be a sign of impairment, especially if it happens more than once. This may show that your customer has lost muscle control. Watch to see if the customer's mouth misses the glass.

**The Money Fumbler** – Carelessness or clumsiness with money also can be a warning sign. Watch to see if your customer is dropping cash on the floor, has trouble picking it up or can't count out the right amount to pay for a drink.

**The Stumbler** – Unsteady walking is an obvious sign that your customer has had too much to drink. Watch for customers who are bumping into tables or into other customers.

#### *Behavior & Personality Changes*

**The Agitator** – You don't have to watch closely to recognize loud and angry behavior as a sign of impairment. Some customers who have had too much to drink will become loud, pick fights and swear. Some will complain about your service, the cost of your drinks, or the way they were mixed.

**The Entertainer** – On the other hand, some customers become very friendly when they are drinking. But a person who becomes unusually entertaining and boisterous can be just as intoxicated as someone who is causing trouble. Watch for customers who are buying rounds of drinks for strangers. Excessive bragging may also be a giveaway.

**The Loner** – Too many drinks can make some people sullen and withdrawn. Keep an eye out for customers who lose their concentration and train of thought during conversation. They will often avoid eye contact, too. Look for signs of depression or fatigue, such as a bobbing head or drooping eyelids. This could signal illness or that the customer is on medication.

## *Speech Patterns*

Talk with your customers. If you don't already know them, it will help you to recognize any changes in their speech as they are drinking. Watch for these symptoms of intoxication:

- Loud
- Talking
- Bragging
- Arguing
- Swearing
- Complaining
- Slurred Speech

## **Refusing Service to a Customer**

Remember that NC laws say you cannot serve alcohol to anyone who is impaired. However, you can allow an impaired customer to stay at your place, as long as they are not consuming alcoholic beverages or being disorderly. Offer them some food or other beverages if you'd like them to stay.

Refusing to serve a customer can be very difficult. Even your regular customers, whose business is important to you, might become intoxicated. It's important to remember that an intoxicated customer can become a dangerous customer – either inside or outside your business. It's your job as a responsible seller and local business to help protect your customers and community. You don't want that customer to drive drunk – your actions could save a life.

## **Delaying Tactics**

Early action on your part may prevent the customer from becoming a problem. Keep note of how many drinks your customers have had. Generally, it takes about an hour for the body to process a standard drink. Always be on the lookout for early signs of intoxication.

Try these delaying tactics to help alcohol work its way through the customer's system.

- **Slow Service Down** – Casually avoid the customer's table. Delay ordering and serving drinks by busying yourself with other chores.
- **Suggest Food** – Encourage the customer to eat food. Food slows down the absorption of alcohol and takes additional time that the customer isn't drinking.
- **Suggest Non-alcoholic Drinks** – Encourage the customer to drink a soft drink, water and/or coffee. Be friendly and try not to offend your customer. Serving a watered-down drink is not a good "compromise;" remember, it's illegal to serve alcohol to an intoxicated person.
- **Gather Support from Others** – Talk with others who may be along with the customer to gather support and cooperation. If the customer is alone, you may wish to inform your manager or fellow server to assist with the customer.

## Cutting Off a Customer

Refusing service to a customer who may be impaired can be a delicate issue. When you've tried everything to get the person to stop drinking, it's time to completely refuse service to the customer.

- Establish a management policy and support your staff. Train staff to notify management before cutting someone off. Make sure all your servers know the policy and work together when dealing with an intoxicated and unruly customer. And most importantly, have a policy in place before an incident occurs.
- Be courteous and friendly, but firm when refusing service. Don't back down once you make a decision about the customer.
- Be honest with the customer. Let the customer know immediately that your permit to sell alcoholic beverages and even your job is at risk. Don't provoke or embarrass them by making statements which may offend them, like, "you're drunk" or "you've had way too much to drink."
- Provide safe transportation home. Ask the customer's friends to provide a ride home or offer a free cab ride home. Don't let the customer drive home if he or she is intoxicated. If the customer becomes unruly, call the local police or sheriff.
- Remember that different people process alcohol differently. Age, gender, weight, physical condition, amount of food consumed, medications or drugs, and more all affect how a person's body tolerates and processes alcohol.



## **Section 8 – Protecting Your Permit**

As a business permitted to sell alcohol, it's your job to help promote the responsible sale of alcohol by following alcohol regulations and not serving to underage or intoxicated customers. Violating the laws and rules surrounding the sale of alcohol can result in fines, suspensions or even a revocation of your permit(s).

Further, in some cases, permittees may face costly civil suits and penalties when they serve customers who are underage and/or intoxicated and later become involved in a serious accident. Use sensible guidelines to protect yourself and your business.

Some examples include:

- Your business should have written rules for dealing with intoxicated customers, for checking identification cards and other policies.
- Provide training regularly to your employees so they understand your policies, how they are to carry them out, and to whom they should report problems, etc. All applicants applying for temporary retail ABC permits will be required to provide proof of Responsible Alcohol Seller/ Server training PRIOR to obtaining a temporary ABC permit. For information about free Responsible Alcohol Seller/ Server Programs (RASP), and/or other approved training resources, visit [www.abc.nc.gov](http://www.abc.nc.gov) and click on the Education tab.
- Have your employees sign a copy of your written policies certifying that they have read and understand them. Provide answers to any questions the employee may have and always encourage your employees to discuss problems that may arise in their work day.
- Always support your employee's decision to refuse service to an intoxicated customer.
- If your business serves drinks, provide free snacks and non-alcoholic beverages to your customers. Provide other activities to your customers besides alcoholic beverages, such as computer or video games or pool, so you may better observe their behavior.
- Provide free or low-cost transportation to intoxicated customers who should not drive.
- North Carolina law requires you to display your ABC permit at your business at all times.

## **Section 9 – ABC Enforcement / Alcohol Law Enforcement**

Wilson County ABC Enforcement is a division of the Wilson County ABC Board. Alcohol Law Enforcement (ALE) is a division of the NC Department of Public Safety. Wilson County ABC Enforcement / ALE is responsible for the enforcement of the NC ABC laws and rules and conducts investigations.

Wilson County ABC Enforcement / ALE agents provide up-to-date information on the ABC laws and rules and can assist you with any special questions your business may have.

Wilson County ABC Enforcement / ALE agents have the right to:

- Inspect licensed premises, or any premises that are in any way connected, physically or otherwise, to the licensed premises.
- Examine your books and records.
- Take enforcement action that is necessary (criminal or administrative through the ABC Commission) for illegal activities on the premises.

It's your responsibility to follow all ABC laws and rules, and Wilson County ABC Enforcement / ALE agents are available to answer your questions and provide helpful information. For this reason, Wilson County ABC Enforcement / ALE usually treats inspections and other enforcement activities as ways to prevent permittees from unintentionally violating ABC laws and rules.

It's a good idea to become acquainted with your local Wilson County ABC Enforcement and/or ALE agent when you receive an ABC permit. They will be able to help you understand the ABC laws and rules. They can also provide materials (print and audio/visual) that further cover important laws and rules.

If you have any questions or concerns, feel free to contact the Wilson County ABC Enforcement or your local ALE District Office directly. Contact information is located in the back of this guide.

## Section 10 – Contact Information



### Wilson County ABC Board

Wilson County ABC Enforcement  
2612 Forest Hills Road SW  
Wilson, North Carolina 27893

#### Phone

(252) 243-2456

#### Fax

(252) 243-1772

[www.wilson.ncabcboards.com](http://www.wilson.ncabcboards.com)

### North Carolina ALE

District II – Greenville, North Carolina  
1013 W.H. Smith Boulevard  
Greenville, North Carolina 27834

#### Phone

(252) 756-4755

#### Fax

(252) 756-4779

[www.nc.gov/alcohol-law-enforcement](http://www.nc.gov/alcohol-law-enforcement)



### North Carolina ABC Commission

#### Physical Address

400 East Tryon Road  
Raleigh, North Carolina 27610

#### Mailing Address

4307 Mail Service Center  
Raleigh North Carolina 27699-4307

#### Phone

(919) 779-0700

#### Fax

(919) 662-3583

[www.abc.nc.gov](http://www.abc.nc.gov)



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COMMISSION  
NORTH CAROLINA