

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.

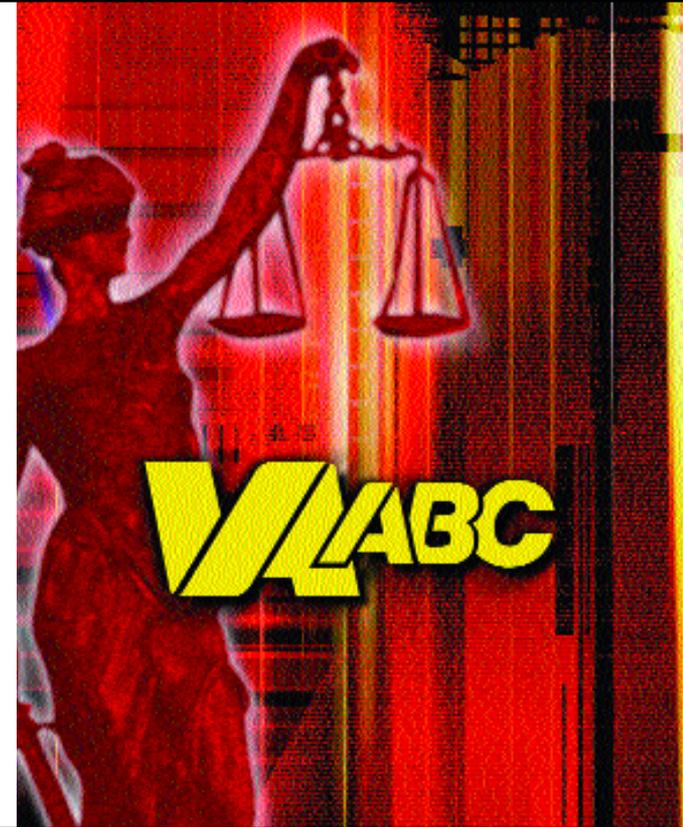
Our mission is to administer ABC laws with an emphasis on excellent public service and a focus on public safety by ensuring a safe, orderly and regulated system for convenient distribution and responsible consumption of alcoholic beverages. We are also responsible for generating a reasonable profit for the Commonwealth.

VA Department of Alcoholic Beverage Control  
2901 Hermitage Road • P.O. Box 27491  
Richmond, VA 23261-7491 • 804-213-4400  
[www.abc.state.va.us](http://www.abc.state.va.us)

**To report a suspected  
violation or make a complaint  
call ABC's Hotline at  
1-800-552-3200**

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

<b>Abingdon</b> 102 Abingdon Place Abingdon, VA 24211 (276) 676-5502	<b>Lynchburg</b> 20353 Timberlake Rd. Lynchburg, VA 24502 (434) 582-5136
<b>Alexandria</b> 501 Montgomery Street Alexandria, VA 22314 (703) 518-8090	<b>Richmond (North)</b> 2901 Hermitage Road Richmond, VA 23220 (804) 213-4620
<b>Charlottesville</b> 300 Natural Resources Dr., # 700 Charlottesville, VA 22903 (434) 977-2974	<b>Richmond (South)</b> 2901 Hermitage Road Richmond, VA 23220 (804) 213-4624
<b>Chesapeake</b> 1103 South Military Hwy. Chesapeake, VA 23320 (757) 424-6700	<b>Roanoke</b> 3023 Peters Creek Road Roanoke, VA 24019 (540) 562-3535
<b>Hampton</b> 4907 W. Mercury Blvd. Hampton, VA 23666 (757) 825-7830	<b>Staunton</b> 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 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. If need be, 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.

