

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**4301-1-02      Expansion and diminution of permit premises.**

- (A) A permit holder who desires an expansion or diminution of its permit premises shall file its request with the division, ~~in writing, and submit~~ [on a form made available by the division that includes](#) a sketch indicating the proposed change. Any request for expansion or diminution must be submitted by the permit holder, a [general partner member](#) of a partnership, a managing member of a limited liability company, a person owning or controlling five per cent or more of the outstanding shares of a corporation, a person owning or controlling five per cent or more of either the voting interests or membership interests in a limited liability company, or any officer of the permit holder, who is approved by and on file with the division.
- (1) Notwithstanding the provisions of section 4303.27 of the Revised Code, temporary expansions or diminutions of permit premises shall not be approved.
  - (2) Notification of the police or legislative authority is not required for the division to process, approve, or deny an expansion or diminution request.
- (B) An expansion of permit premises must include a premises ~~adjacent~~ [contiguous](#) to the original premises for which the permit was issued. The ~~adjacent~~ [contiguous](#) premises must be under the permit holder's control and ownership in fee, leasehold, or mortgage, and be located in an area where sales under the permit are not prohibited because of local option election, or operation of rule or law.
- (C) Upon receipt of the request for such change, the division may make an inspection of the permit premises and of the area proposed to be expanded or diminished within twenty working days of receipt of the request. The division shall approve or deny the requested change within twenty working days of inspection or receipt of the request, whichever is later.