

§453. Location of agency stores

1. Location requirements. The bureau may license an agency liquor store only when the following requirements are met.

A. The proposed agency liquor store is located in a municipality that has voted in favor of local option provisions that authorize the sale of spirits, wine and malt liquor for off-premises consumption or the proposed agency liquor store is located in an unincorporated place where the county commissioners have authorized the sale of spirits, wine and malt liquor for off-premises consumption. [PL 2021, c. 658, §68 (AMD).]

B. [PL 1993, c. 380, §1 (RP); PL 1993, c. 380, §7 (AFF).]

C. [PL 2001, c. 711, §2 (RP).]

D. [PL 2001, c. 711, §2 (RP).]
[PL 2021, c. 658, §68 (AMD).]

1-A. Limitation on number of agency liquor stores. The bureau may license up to:

A. Twelve agency liquor stores in a municipality with a population over 60,000; [PL 2021, c. 172, §1 (AMD).]

B. Eleven agency liquor stores in a municipality with a population over 45,000 but less than 60,001; [PL 2021, c. 172, §1 (AMD).]

C. Ten agency liquor stores in a municipality with a population over 30,000 but less than 45,001; [PL 2021, c. 172, §1 (AMD).]

D. Nine agency liquor stores in a municipality with a population over 20,000 but less than 30,001; [PL 2021, c. 172, §1 (AMD).]

E. Seven agency liquor stores in a municipality with a population over 10,000 but less than 20,001; [PL 2023, c. 550, §1 (AMD).]

F. [PL 2023, c. 550, §2 (RP).]

G. Four agency liquor stores in a municipality with a population of at least 5,001 but less than 10,001; [PL 2019, c. 74, §1 (NEW).]

H. Three agency liquor stores in a municipality with a population of at least 2,000 but less than 5,001; and [PL 2019, c. 74, §1 (NEW).]

I. One agency liquor store in a municipality with a population less than 2,000. [PL 2019, c. 74, §1 (NEW).]

The bureau may issue one additional agency liquor store license beyond those otherwise authorized by this subsection in any municipality. The bureau may consider any information provided by the municipality requesting an additional agency liquor store license.

This subsection may not be construed to reduce the number of agency liquor stores the bureau may license in a municipality as of June 30, 2009.

[PL 2023, c. 550, §§1-3 (AMD).]

2. Replacement of state or agency liquor stores.

[PL 2001, c. 711, §2 (RP).]

2-A. Limitation on number of agency liquor stores.

[PL 2019, c. 74, §2 (RP).]

2-B. Requirement of at least one replacement agency liquor store before closing.

[PL 2013, c. 368, Pt. V, §31 (RP).]

2-C. Licenses. The bureau shall consider whether the applicant can satisfy the following criteria when determining whether to issue an agency liquor store license under this section:

A. If the applicant has previously held a license to sell malt liquor and wine for off-premises consumption, the applicant was not found by the District Court to have committed a violation of any provision of this Title or rule of the bureau within the last year; [PL 2019, c. 404, §5 (AMD).]

B. If the applicant is applying for an agency liquor store license in a municipality with a population of 1,000 or more, the applicant will be able to stock at least \$10,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of an agency liquor store license. If the applicant is applying for an agency liquor store license in a municipality with a population of 999 or less, the applicant will be able to stock at least \$5,000 worth of spirits purchased from the State or the State's wholesale distributor upon issuance of an agency liquor store license; [PL 2017, c. 167, §4 (AMD).]

C. The applicant can purchase the initial stock of spirits using a bank check or other financial instrument that certifies that funds are available; and [PL 2017, c. 167, §4 (AMD).]

D. The applicant demonstrates that the applicant is likely to be a responsible licensee. [PL 2017, c. 167, §4 (NEW).]

[PL 2019, c. 404, §5 (AMD).]

2-D. Exception.

[PL 2017, c. 167, §5 (RP).]

3. Measurement of distances.

[PL 1993, c. 380, §5 (RP); PL 1993, c. 380, §7 (AFF).]

4. Procedure for selection of agency liquor store location.

[PL 1991, c. 622, Pt. K, §4 (RP).]

5. Aggrieved applicants.

[PL 1991, c. 622, Pt. K, §5 (RP).]

SECTION HISTORY

PL 1987, c. 45, Pt. A, §4 (NEW). PL 1987, c. 342, §22 (AMD). PL 1989, c. 502, Pt. B, §§26-28 (AMD). PL 1991, c. 528, Pt. E, §34 (AMD). PL 1991, c. 528, §RRR (AFF). PL 1991, c. 591, Pt. E, §34 (AMD). PL 1991, c. 622, Pt. K, §§3-5 (AMD). PL 1993, c. 380, §§1-5 (AMD). PL 1993, c. 380, §7 (AFF). PL 1997, c. 373, §46 (AMD). PL 2001, c. 711, §2 (AMD). PL 2003, c. 20, Pt. SS, §§1, 2 (AMD). PL 2003, c. 20, Pt. SS, §8 (AFF). PL 2003, c. 51, Pt. C, §2 (AFF). PL 2009, c. 213, Pt. JJJJ, §§1, 2 (AMD). PL 2013, c. 253, §1 (AMD). PL 2013, c. 269, Pt. A, §§5, 6 (AMD). PL 2013, c. 368, Pt. V, §31 (AMD). PL 2015, c. 128, §1 (AMD). PL 2015, c. 221, §§1, 2 (AMD). PL 2015, c. 494, Pt. A, §31 (AMD). PL 2017, c. 167, §§4, 5 (AMD). PL 2019, c. 74, §§1, 2 (AMD). PL 2019, c. 404, §5 (AMD). PL 2021, c. 172, §1 (AMD). PL 2021, c. 658, §68 (AMD). PL 2023, c. 550, §§1-3 (AMD).

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