WVABCA LICENSE RENEWAL ADVISORY

EXECUTIVE ORDER 7-20, 23-20 & 11-20

In response to COVID-19 and per the emergency powers granted to the Governor pursuant to W. Va. Code §15-5-6, the Governor has ORDERED in EO 7-20 issued on March 19, 2020 and EO 23-20 issued April 9, 2020, that certain statutory regulations are to be **suspended** for the duration of the State of Emergency as related to the deadline to **renew** licenses and permits from the WVABCA:

1. W. Va. Code §60-4-22 - liquor broker and wine representative permits;
2. W. Va. Code §60-7-6 - private clubs, private resort hotels, private hotels, private golf clubs, & private 9-hole golf clubs;
3. WV Code of State Rules §175-4-3 & 4 - wine suppliers and wine distributors;
4. WV Code of State Rules §175-5-16 - retail liquor outlets, both freestanding and mixed (Rebid 2020 payments must still be made on or before June 30, 2020);
5. W. Va. Code §11-16-9 - brewers, importers, resident brewers, brewpubs, Class A retail dealers – taverns; and
6. W. Va. Code§ 60-8-3, §60-4-14 and §60-4-15 - distilleries, mini-distilleries, wineries, farm wineries, multi-capacity licensees, private wine restaurants, private wine bed and breakfasts, private wine spas, and private wine stadiums.

Any of the above-mentioned current licensees may renew on or before June 30, 2020, if they choose to do so.
Certain licensees must still renew (See next page).

EO 7-20 and EO 23-20 only address license renewal.

All new license applications must be filed, paid, processed, & reviewed prior to any approval.

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EO 7-20 and EO 23-20 do **NOT** include the license renewals for: Class B retail dealers – beer retailers, wine retailers, and wine specialty shops; wine direct shippers; beer distributors; and other licenses and permits not mentioned above.

During the State of Emergency, these licensees must still renew on or before June 30, 2020 (most licensees) or their scheduled renewal date.

Further, the rule suspension does **NOT** apply to the 10-year rights to sell liquor at retail, commonly known as the "Rebid 2020", and those retail liquor outlet rebid payments are **due on or before April 20, 2020 for the early filing deadline or on or before June 30, 2020** (See W. Va. Code §60-3A-1 et seq.).

In the event the State of Emergency is terminated prior to June 30, 2020, all licenses subject to EO 7-20 & EO 23-20, shall be given the greater of 30 days or to June 30, 2020 to file their renewal applications.

The WVABCA suggests you submit your renewals early to ensure documents are processed timely to avoid any down time.

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RENEWAL AND NEW LICENSE APPLICATIONS:

EO 11-20 and several rulings by the WV Secretary of State's office have permitted certain digital signatures and authorizations.

For current retail licensees completing renewal applications and currently licensed retail liquor outlets completing new applications due to Rebid 2020, the WVABCA will permit digital signature of documents, digital certificate and signature on nonintoxicating beer and alcoholic liquor bonds and no notary requirement of documents.

For all new retail applicants, the WVABCA will permit digital signature of documents, digital certificate and signature on nonintoxicating beer and alcoholic liquor bonds and electronic or digital notary of the documents.

Per EO 23-20 - golf courses shall mandate proper hygiene and sanitary procedures (per applicable WVDHHR guidelines & cleaning protocols) and proper social distancing of at least 6 feet, including a limit of 1 golfer/cart for individuals who do not reside together, and all who are physically able should walk.

Please continue to practice social distancing, contactless service, stay at home except for essential business and continue to operate within the bounds of the West Virginia Code during the State of Emergency.