

Chapter 04 Hours and Days During Which Alcoholic Beverages May Be Sold by On-Premises Permittees, Package Stores and Caterers

- 100 On-premises permittees and caterers may make sales of alcoholic beverages at the permitted location between the hours of 10:00 a.m. and midnight, Monday through Saturday. No sales or deliveries of alcoholic beverages shall be made to any person on Sundays unless hours have been extended as described below.
- 101 On New Year's Eve, on-premises permittees and caterers may be allowed to remain open until 1:00 a.m., January 1st. In the event that New Year's Eve falls on Sunday, on-premises permittees and caterers may make sales of alcoholic beverages at the permitted location between the hours of 1:00 p.m. and 1:00 a.m. In the event that a municipality or county prefers not to recognize the extension of hours on New Year's Eve, the municipality or county shall notify the Chief of Enforcement, in writing, no later than September 1st of that year.
- 102 The governing authority of any municipality or county, usually the Board of Alderman or Board of Supervisors, may petition the Department to shorten or extend the hours of sale and/or consumption of alcoholic beverages by on-premises permittees and caterers located in the municipality or county. The petition must be accompanied by a certified copy of the order of the municipal or county governing authority requesting the change in hours. Regardless of the date of request, any change in hours will not be effective until approved by the Department. Unless otherwise designated by the Department, the hours for sale and consumption shall be the same.
- 103 Resort areas are exempt from the above provisions requiring the sale of alcoholic beverages to be between the hours of 10:00 a.m. and midnight. However, the governing authority of any municipality or county may petition the Department to designate the hours of sale and/or consumption of alcoholic beverages for resort area on-premises permittees or caterers. All petitions must be accompanied by a certified copy of the resolution of the municipal or county governing authority requesting the setting of hours. Upon receipt of the petition, or upon its own discretion, the Department shall set whatever hours of sale and/or consumption it deems appropriate for any particular resort area. Additionally, governing authorities within resort areas may set hours for sale by ordinance if authorized to do so under Miss. Code Section 67-1-5(o)(iii). Governing authorities should forward a copy of any such ordinance to ABC upon passage. Unless otherwise designated by the Department, the hours for sale and consumption shall be the same.
- 104 It shall be unlawful for any holder of a package retailer's permit or any employee or agent thereof, to sell, give away, deliver or barter any alcoholic beverages before 10:00 a.m. and after 10:00 p.m., or on any Sunday, or on Christmas Day.
- 105 (Reserved)

35.II.2.04 revised effective July 23, 2021

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