

DEPARTMENT OF SAFETY AND HOMELAND SECURITY  
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER

**600 Licenses for Gatherings**

**601 (Formerly Rule 35.1) Gathering Licenses**

**1.0 Purpose and Scope**

- 1.1 This rule implements the definition of "gathering of persons" under the Liquor Control Act.  
"Gathering of persons" or "gathering" means a banquet, picnic, bazaar, fair, or similar private gathering, or similar public gathering, where food or drink are sold, served, or dispensed by non-profit organizations such as churches, colleges, universities, volunteer fire companies, political parties, or other similar non-profit groups having a common civic, social, educational, or religious purpose, or where entrance tickets are sold or entrance fees are required by those non-profit organizations.

**2.0 Gathering License**

- 2.1 The organization must be a not-for-profit organization.  
2.2 The organization must submit proof of incorporation or file an alternative, for example, Articles of Association.  
2.3 Form 990 must be filed with the Delaware Alcoholic Beverage Control Commissioner. If the organization is new, proof from the Department of Treasury that non-profit status has been requested must be filed with the application.  
2.4 Religious organizations must file Form 1065.  
2.5 Political organizations must be registered and acknowledged by the Department of Elections.  
2.6 Application must be completed and submitted with proper fee.  
2.7 Daily gathering applications must be completed and submitted ten (10) working days prior to the scheduled gathering.

**19 DE Reg. 775 (02/01/16)**

**602 (Formerly Rule 35) A Rule Governing the Issuance of a License for a Gathering to be Held in Licensed Establishments in the State of Delaware**

**1.0 Application for Gathering License**

The application for a gathering license shall indicate clearly the area of the non-gathering licensee where such gathering will take place and the license shall exclusively cover and pertain only to the described part of the premises.

**2.0 Alcoholic Liquor Purchase and Storage**

All alcoholic liquors served at such private gathering must be purchased from the on-premises licensee where the gathering is being held or from an Importer or retailer. All unused alcoholic liquors must be stored and locked immediately following the private gathering in storage cabinets set aside in the area used for the gathering. None of the alcoholic liquors may be removed from the specified area, except by employees of the licensee for the purpose of returning such alcoholic liquors to stock.

**3.0 Compliance**

The Commissioner shall look to the holder of such private gathering license for compliance with the laws of Delaware and the rules and regulations of the Commissioner relating to alcoholic liquors. However, a violation of such laws, rules or regulations of the Commissioner shall be cause for the Commissioner to deny future applications for private gathering licenses on the premises of the licensee where the violation occurred.

**4.0 Fee**

**TITLE 4 ALCOHOLIC BEVERAGE CONTROL COMMISSION**  
**DELAWARE ADMINISTRATIVE CODE**

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Every application filed in accordance with this rule shall be accompanied by the sum of \$5.00 payable to the Commissioner, which shall be refunded if the application is not approved.

**19 DE Reg. 775 (02/01/16)**