



ADMINISTRATIVE RULES OF MONTANA



42.12.153 ADDITIONAL RETAIL SERVICE BUILDINGS OR STRUCTURES

- (1) In addition to the main licensed premises, a golf course beer and wine licensee or an all-beverages licensee operating a license at a golf course may use an additional building or structure, one per nine holes of the golf course that is designed to serve golfers alcoholic beverages during the course of play.
- (2) In addition to the main licensed premises, an all-beverages licensee or resort all-beverages licensee may sell alcoholic beverages for consumption on the premises in one or more of the following:
 - (a) up to two licensed alcohol service structures separate from the main licensed premises of a hotel, if the premises is not located within the quota area boundaries of an incorporated city or incorporated town;
 - (b) a permanent, licensed alcohol service structure in a swimming area separate from the main licensed premises;
 - (c) up to two additional permanent structures on a ski hill separate from the main licensed premises; or
 - (d) an additional structure that constitutes the clubhouse or primary indoor recreational quarters of the golf course separate from the main licensed premises.
- (3) A continuing care retirement community licensee may sell alcoholic beverages for consumption on its campus and premises from the following locations:
 - (a) any buildings or structures as long as those service locations are on the campus and include food service;
 - (b) patios, decks, or controlled lawn areas as long as those areas are immediately adjacent to the main licensed premises and located on the campus; and
 - (c) in a permanent, licensed alcohol service structure in a swimming pool area.
- (4) The department may approve a licensee for storage of alcoholic beverages at an additional retail service building if adequate physical safeguards prevent access by individuals other than the licensee or its employees.
- (5) A licensee must submit the following to the department via its online licensing portal for approval of an additional retail service building or structure:
 - (a) a completed additional retail service building request form;
 - (b) the application fee provided in 16-3-302, MCA, as applicable;
 - (c) the processing fee provided in ARM 42.12.111, as applicable;

- (d) a copy of the floor plan for each proposed additional retail service building or structure;
 - (e) a plat-style map showing the location of each proposed additional retail service building or structure on the licensee's property;
 - (f) documentation of the licensee's possessory interest in the proposed additional retail service building or structure;
 - (g) evidence of approvals from state or local officials that the proposed additional retail service building or structure meets building, health, and fire code requirements, as required by state or local law; and
 - (h) any additional documentation the department deems reasonably necessary to approve the licensee's request.
- (6) Upon its acceptance and review of a licensee's submissions in (5), the department will arrange an inspection of the proposed additional retail service building or structure and review the inspection findings.
- (7) The department will notify the licensee, in writing, within ten business days of the completed investigation of its approval or denial of the additional retail service building or structure.
- (8) Upon approval, an updated license will be issued and reflect the location of any additional retail service building or structure. The licensee must display a copy of the license in a prominent place at any additional retail service building or structure.
- (9) No alcoholic beverages may be stored or served by a licensee at a proposed additional retail service building or structure prior to receiving department approval.

Authorizing statute(s): 16-1-303, MCA

Implementing statute(s): 16-3-302, 16-4-315, MCA

History: NEW, 2024 MAR p. 2303, Eff. 9/21/24; AMD, 2026 MAR, Notice No. 2025-304, Eff. 1/24/26.