

§ 18B-502. Inspection of licensed premises.

(a) Authority. – To procure evidence of violations of the ABC law, alcohol law-enforcement agents, employees of the Commission, local ABC officers, and officers of local law-enforcement agencies that have contracted to provide ABC enforcement under G.S. 18B-501(f) shall have authority to investigate the operation of each licensed premises for which an ABC permit has been issued, to make inspections that include viewing the entire premises, and to examine the books and records of the permittee. The inspection authorized by this section may be made at any time it reasonably appears that someone is on the premises. Alcohol law-enforcement agents are also authorized to be on the premises to the extent necessary to enforce the provisions of Article 68 of Chapter 143 of the General Statutes. For purposes of this subsection, the phrase "licensed premises for which an ABC permit has been issued" includes a social district authorized under G.S. 18B-300.1 and an extended area authorized under G.S. 18B-904(h).

(b) Interference with Inspection. – Refusal by a permittee or by any employee of a permittee to permit officers to enter the premises to make an inspection authorized by subsection (a) shall be cause for revocation, suspension or other action against the permit of the permittee as provided in G.S. 18B-104. It shall be a Class 2 misdemeanor for any person to resist or obstruct an officer attempting to make a lawful inspection under this section.

(c) If any alcohol law enforcement agent or local ABC officer issues a citation to an employee of a permitted establishment, who is not the named holder of an ABC permit for the establishment, for conduct occurring on the premises of the establishment that is a violation of this Chapter or Chapter 14 of the General Statutes, the alcohol law enforcement agent or local ABC officer shall send notice by electronic means or certified mail to the holder of the permit within five business days of the issuance of the citation. If the Commission receives a report from a law enforcement agency other than the Division of Alcohol Law Enforcement of the Department of Public Safety or a local ABC officer documenting violations of this Chapter or Chapter 14 of the General Statutes for conduct occurring on the premises of a permitted establishment, the Commission shall send notice of the alleged violation to the holder of the permit within five business days of receipt of the law enforcement agency report. The written notice shall identify the currently alleged violations and the involved employee. Nothing in this subsection shall prevent or limit the Commission from taking any additional action warranted by the circumstances of the violation. (1939, c. 158, s. 514; 1943, c. 400, s. 6; 1949, c. 974, ss. 11, 14; c. 1251, s. 4; 1951, c. 1056, s. 1; c. 1186, ss. 1, 2; 1953, c. 1207, ss. 2-4; 1957, c. 1440; 1961, c. 645; 1963, c. 426, ss. 1, 2, 4, 5, 12; 1967, c. 868; 1971, c. 872, s. 1; 1977, c. 70, s. 17; 1981, c. 412, s. 2; 1993, c. 539, s. 313; 1994, Ex. Sess., c. 24, s. 14(c); 1998-212, s. 19.11(f); 2021-150, s. 22.1; 2022-49, s. 3(a); 2024-41, s. 19(a).)