
WHERE DO I MAIL MY APPLICATION?

The State Liquor Authority maintains three Zone Offices and one Satellite Office. Mail your application to the office that supports the county where you will establish your business.

<u>ZONE 1</u>	<u>ZONE 2</u>	<u>SYRACUSE SATELLITE</u> <i>(Applications are to be filed in the Albany Office)</i>	<u>ZONE 3</u>
<p>State Liquor Authority 317 Lenox Ave. New York, NY 10027 Phone #(212) 961-8385 Fax #(212) 961-8283</p>	<p>State Liquor Authority 80 S. Swan Street Suite 900 Albany, NY 12210-8002 Phone #(518) 474-3114 Fax #(518) 473-2286</p>	<p>State Liquor Authority 333 E. Washington St. Room 205 Syracuse, NY 13202 Phone #(315) 428-4198 Fax #(315) 428-4201</p>	<p>State Liquor Authority 535 Washington St. Buffalo, NY 14203 Phone #(716) 847-3035 Fax #(716) 847-3435</p>
<ul style="list-style-type: none"> * Bronx * Kings * Nassau * New York * Queens * Richmond * Suffolk * Westchester 	<ul style="list-style-type: none"> * Albany * Clinton * Columbia * Dutchess * Essex * Franklin * Fulton * Greene * Hamilton * Montgomery * Orange * Putnam * Rensselaer * Rockland * Saratoga * Schenectady * Schoharie * Sullivan * Ulster * Warren * Washington 	<ul style="list-style-type: none"> * Broome * Cayuga * Chenango * Cortland * Delaware * Herkimer * Jefferson * Lewis * Madison * Oneida * Onondaga * Oswego * Otsego * St. Lawrence 	<ul style="list-style-type: none"> * Allegany * Cattaraugus * Chautauqua * Chemung * Erie * Genesee * Livingston * Monroe * Niagara * Ontario * Orleans * Schuyler * Seneca * Steuben * Tioga * Tompkins * Wayne * Wyoming * Yates

INSTRUCTIONS FOR ON-PREMISES LIQUOR RETAIL APPLICATION

INTRODUCTION

PLEASE READ THE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE APPLICATION.

The following material has been prepared to assist you, the applicant, in developing and filing a completed application which will result in the approval and issuance of the type of license you desire. **It is important to understand that it is your responsibility to present a clear explanation of what you intend to do and how you will accomplish this. Incomplete applications will not be accepted for filing. Please make sure you read the instructions carefully, answer every question and submit any documentation required to support your application.**

IMPORTANT: Statutory Disqualification:

The following are **Statutory Disqualifications** to holding an alcoholic beverage retail license under the A.B.C. Law:

1. Under the age of 21;
2. Not U.S. citizens or aliens admitted to the U.S. for permanent lawful residence;
3. Convicted of any felony, promoting or permitting prostitution, sale of liquor without an alcoholic beverage license;
4. Police officers/police officials;
5. A person whose liquor license was revoked;
or
6. A person who has a wholesale license.

If any apply to you, identify and explain in sections marked Statutory Disqualification under lines 9 or 10.

APPLICATION

Line 1

APPLICANT NAME

- Enter sole proprietor's full name.
- If a partnership, enter full name of each partner.
- If a corporation, enter the corporate name.
- If a limited liability company or limited partnership, enter the company name.
- **IMPORTANT:** Enter telephone number of premises or a telephone number where we can contact **you, the applicant**, not your attorney or representative.

TRADE NAME

- Enter your DBA – "Doing Business As" name. **You MUST enter a trade name if you are to be known by any other name other than what is listed in APPLICANT NAME. This is the name that your business is known by – the name that appears on your building.**

PREMISES STREET

- Enter the full address and county of the premises you are seeking to license (911 street address where applicable).
- Premises mailing address, if different than above.
- E-mail address, if available.

Line 2

ATTORNEY/REPRESENTATIVE CONTACT NAME

- Enter the name, address and telephone number of the attorney, representative or contact person for the completion, filing and handling of this application (and email address, if available).

BE ADVISED THAT NOTICES OF INCOMPLETE APPLICATIONS WILL BE MAILED TO THE APPLICANT AS WELL AS THE ATTORNEY OR REPRESENTATIVE, IF APPLICABLE. YOU, THE APPLICANT, ARE ULTIMATELY RESPONSIBLE FOR THE INFORMATION PROVIDED IN THE APPLICATION.

Line 3

FOR SEASONAL LICENSES ONLY

- Provide the months that the sought for license will begin and end, in that order.
- See fee schedule for beginning and ending months allowed for summer and winter seasonal licenses.

Line 4

ALCOHOLIC BEVERAGE LICENSE CLASS

- Refer to the Schedule of Retail License Fees for the license class and code number and enter these in the spaces on line 4.

Line 5

ADDITIONAL BARS

- Enter the number of additional bars, if any.
- A **stand up bar** is any bar, counter or contrivance (whether there is seating or not) over which a member of the public can order, pay for and receive an alcoholic beverage. Each stand up bar requires

its own license. A **service bar** is for waiter/waitress service only, for people seated at tables.

Line 6

TOTAL PAYMENT DUE

- Refer to the Schedule of Retail License Fees for the specific license fee and complete the following fee payment work sheet.

FEE PAYMENT WORKSHEET

1. License Fee (columns 4-7)	\$ _____
2. Filing Fee (column 8)	+ _____
3. Additional Bars (if any) (stand up bars only)	
_____ x _____	+ _____
# of bars license fee	
4. Additional Bar Filing Fee \$20 x # of bars	+ _____

TOTAL PAYMENT DUE = _____

(sum of lines 1-4 above)

(Enter this number on application LINE 6)

- Attach a personal check, certified check or money order payable to the **New York State Liquor Authority** for the **total payment due**.
- **TEMPORARY RETAIL PERMIT FEE (\$640) MUST BE A SEPARATE CHECK. You may only apply for this permit if purchasing an existing establishment from a current licensee.**
- **LIQUIDATOR’S PERMIT FEE (\$36) MUST BE A SEPARATE CHECK.** A Liquidator’s Permit is required if there is a transfer of alcoholic beverages from seller to purchaser. If alcoholic beverages are not being transferred, a statement, signed by the seller, must be submitted.

Line 7

- If applying as a sole proprietor, enter your Social Security Number. Others list Federal Identification Number. This is obtained from the Internal Revenue Service. If applied for and pending, so indicate.

Line 8

- If the proposed premises are outside of the city of New York, are there any restrictions on the sale of alcoholic beverages?
- Check with your city, town or village clerk to determine if there are any restrictions that may apply to the sale of alcoholic beverages and list same.

Line 9

SOLE PROPRIETOR, PARTNERSHIP AND LIMITED LIABILITY PARTNERSHIP (LLP)

- Enter the name of the applicant.
- If **10 or less partners**, list all. If **more than 10 partners**, see instructions for “more than 10” in line 10 below.
- List all partners and provide proof of citizenship or alien status, personal questionnaires, copy of photo identification, an original color photo (passport size) and fingerprints on all.

Line 10

CORPORATIONS AND LIMITED LIABILITY COMPANIES (LLC)

- If the principal place of business for this corporation is **NOT** in New York State, provide the name and address of the principal place of business in New York State.
- Enter names of stockholders, officers, directors, (If LLC, members and managing members), if any, as follows:
 - If **10 or less shareholders**, list all stockholders, officers, directors, members and managers, if any, and provide personal questionnaires, proof of citizenship or alien status, copy of photo identification, original color photo (passport size) and fingerprints for all.
 - If **more than 10 shareholders**, list all shareholders owning 10% or more of any class of its shares, and provide personal questionnaires, proof of citizenship or alien status, copy of photo identification, original color photo (passport size) and fingerprints for those individual. List all officers, directors, members and managers, if any, (and provide personal questionnaires, proof of citizenship or alien status, copy of photo identification, original color photo (passport size) and fingerprints for all active in management of business. Provide listing including name, address, citizenship and any statutory disqualification for all others having any interest.
- For Publicly Traded Corporations, provide copy of annual report listing all officers, directors and financial statement.

RIGHT TO PREMISES

- Check the appropriate box disclosing how you are in possession of the premises (own, lease, etc).
- If you own the premises and have purchased it within the past year, you are required to provide

documentation showing the source of the funds used for the purchase.

- **WRITTEN LEASE:** If you are leasing the premises you must submit a signed copy of the lease or a letter of intent. The letter of intent must list the intended term and rent amount. The lease **MUST** run for the **FULL** term of the license or be renewable for at the least the full term.
- Answer all questions here regarding the lease arrangements. **NOTE: The lease must state the EXACT location of the premises in the building.**

INTERESTED PARTIES

- Check **YES** if there is a license already in effect for the premises in which the applicant is seeking a license and state the name of the licensee and license serial number.
- **IT IS STRONGLY SUGGESTED THAT YOU CONTACT THE STATE LIQUOR AUTHORITY BEFORE YOU FILE AN APPLICATION TO DETERMINE IF THERE ARE ANY DISCIPLINARY ACTIONS PENDING THAT MAY EITHER DELAY OR PREVENT THE ISSUANCE OF A LICENSE AT THE PROPOSED PREMISES. . PLEASE BE AWARE THAT WE MAY NOT DISCLOSE A PENDING INVESTIGATION AT A LOCATION.**

LANDLORD IDENTIFICATION

- All applicants are required to have the owner of the property (landlord) where the proposed premises is to be located complete this Section. (If **YOU** own the property **YOU** must complete this section as landlord.) All questions must be accurately and completely answered and the form **MUST BE SIGNED**. All individuals or principals of the landlord corporation must be listed on this form.

LIST OF EXPENSES

- List the amount of money spent (or intended to be spent) for each item listed on this page.
- If the real property has been purchased by the principals of the LLC or Corporation under a different entity name, a separate List of Expenses should be completed by that entity.
- Identify **ALL** sources of funds. This includes cash and deferred funds as follows: savings, checking, stock, business accounts, property, gifts or loans, etc.
- Provide bank statement(s) that show you have sufficient funds for this venture. If any finances

have already been expended, provide statements to reflect you had the funds at that time.

- Provide an explanation for any deposits over \$5,000.
- Personal questionnaires are required on all lenders, donors, giftors and all persons listed on bank accounts that the funds will be withdrawn from. The applicant must account for and document the source of all funds invested in the proposed business or premises.
- Loan agreements are required (even if the loan is between family members) for every loan showing the terms of the loan and default clauses. If the money is gifted from anyone other than a spouse, a letter stating the finances are a gift must be provided.
- You are not limited to the above. Submit any and all records, documents and/or affidavits that may assist you in explaining your financing, background and operation of the applied for business. Attach additional sheets and explanations, if necessary. More information may be required if deemed necessary to process the application.

500' RULE

- **This section MUST be completed by all applicants for an On-Premises Liquor License, and if you answered YES to three or more premises with on-premises liquor licenses within 500' of the proposed premises, YOU MUST EXPLAIN IN WRITING, IN DETAIL, WHY GRANTING OF THE LICENSE APPLIED FOR WOULD BE IN THE PUBLIC INTEREST. IF APPLICABLE, YOU MUST ALSO PROVIDE THE NAMES AND ADDRESSES OF THE BUSINESSES WITH ON-PREMISES LIQUOR LICENSES LOCATED WITHIN 500' OF THE PROPOSED PREMISES.**

STATEMENT OF AREA PLAN

- When completing this section, please be aware that whether or not the premises is within 200' of a school, church or place of worship, you **MUST** also identify the name and distance of the **CLOSEST** school, church or place of worship within 500' of the proposed premises.
- If you **ARE** within 200' of a school, church or place of worship, you must answer the question "YES" regardless of whether or not you believe it is being used exclusively as a school, church or place of worship. The Authority will make this determination and advise you accordingly.

ESTABLISHMENT QUESTIONNAIRE

- Answer ALL questions completely. Please do not answer “see attached” to any question. **Any incomplete answer may delay or prevent the processing of the application.**
- In this section you must describe the premises to be licensed and answer questions regarding the use of the rest of the building if there are multiple floors.
- Indicate if an outdoor area is to be used for the sale or consumption of alcoholic beverages and submit appropriate permits, if required. This includes patios, roofs, yards and decks.
- **Submit a copy of a valid certificate of occupancy (or a letter from the municipality stating one is not needed). The Certificate of Occupancy must list the appropriate use. Indicate whether all other appropriate permits have been applied for and received.**
- You must indicate what floor(s) the licensed premises will be located on and answer all questions pertaining to the interior of the premises to be licensed including what each room in the premises to be licensed will be used for; access between floors; number of persons legally allowed in the licensed premises; the number of and description of all stand up bars or service bars (see the instructions under Section A for definition of stand up and service bars); whether there is a kitchen or food preparation area and whether food will be available for sale. **You must submit a menu with your application.**

HELPFUL HINT: You may find it easier to prepare your diagram of the premises prior to completing this section....seeing the layout of the premises may help you in answering the questions.

METHOD OF OPERATION

- Answer ALL questions completely. The information provided in this section will be the method of operation you are approved for and will be binding. Should you wish to deviate from this method of operation in any way, you must first apply for and receive permission by the Authority.
- **Any change in method of operation, other than hours, must be approved by the State Liquor Authority prior to initiating the change.**
- If you intend to operate as a restaurant, you are required to be regularly kept open for the serving of meals to guests for compensation, have suitable kitchen facilities in the licensed

premises that are in charge of a chef and necessary help at all times. Meals must be the usual assortment of foods commonly ordered at various hours of the day. The service of only sandwiches and salads does not meet the food requirements needed to operate as a restaurant. Alcoholic beverages are to be incidental to the service of food.

- **PLEASE NOTE THAT FOOD MUST BE AVAILABLE FOR SALE DURING ALL HOURS OF OPERATION.**
- If you intend to operate as a restaurant for a percentage of the time the premises is open and serve a lighter fare and operate as a nightclub or cabaret after a certain time of day, you would apply for a “Mixed Use” license.
- In the City of New York you are required to obtain a cabaret permit if you will allow dancing at your establishment.
- If you are employing a manager, they must provide a Personal Questionnaire, photo identification and an original color photo no smaller than 2”x2”
- If you are employing security personnel you should contact the NYS Department of State and find out if they are required to be registered in accordance with NYS Security Registration.
- If sole proprietor with more than one employee, **whether or not they are family members**, or if a partnership, Limited Liability Partnership (LLP), Limited Liability Company LLC) or a corporation, provide Workers’ Compensation/Disability Benefits Carrier Name and Policy Number. If applied for and pending, so indicate.

YOU MAY NOT EMPLOY ANYONE CONVICTED OF A FELONY UNLESS YOU HAVE THE PERMISSION OF THE AUTHORITY OR THE PERSON HAS RECEIVED A CERTIFICATE OF RELIEF FROM DISABILITIES FROM THE COURT.

NOTIFICATION OF PUBLICATION

- Please read this section carefully. The first notice of publication must be published within 10 days of the filing of this application. The original publication notice must be submitted to the Authority within 15 days of receipt.

PROOF OF CITIZENSHIP

- This section must be completed by an attorney duly admitted to practice law in New York State. This section is not required for natural born citizens.

APPLICANT'S STATEMENT

- Please read this section carefully. This section is an affirmation that you understand that you are bound by the answers and information you provide in the application.
- Applicant signatures required for: sole proprietors, each partner in a partnership and at least one authorized official of a corporation.

APPLICATION FOR LIQUIDATOR'S PERMIT

- This section must be completed and filed by the **LICENSEE who is selling or liquidating their business and will be disposing of their stock of alcoholic beverages in connection with such sale. A list of the inventory being liquidated must accompany this application.**

PERSONAL QUESTIONNAIRE – THIS FORM MUST BE COMPLETED IN FULL BY THE FOLLOWING PERSONS:

- All sole proprietors.
- Each partner in a partnership.
- For Corporations or Limited Liability Companies (LLC), see instructions for Line 10 of the application.
- Managers.
- Individual lenders and donors (state your relationship to the applicant).
- Co-signers of loans.
- Spouses who assist in management of premises, will be employed at the premises or who hold joint bank accounts with applicant.
- Anyone holding a joint account with an individual who will be providing funds for this venture, whether the applicant, a lender or donor.

NOTE: Additional information may be requested on any individual submitting a personal questionnaire if needed to complete the review of the application. Each questionnaire must be signed and dated.

THE FOLLOWING DOCUMENTS MUST BE SUBMITTED WITH THE APPLICATION:

ORIGINAL APPLICATION NOTICE FORM

- In the City of New York, you are required to notify the local community board **at least 30 days prior to submitting an application to the State Liquor Authority for a license for on-premises consumption of liquor, wine or beer.**
- Outside of the City of New York you are required to notify the clerk of the city, town or village where this premises is located **at least 30**

days prior to submitting an application to the State Liquor Authority for a license for on-premises consumption of liquor.

YOU MUST SUBMIT THE ORIGINAL CERTIFIED MAIL RECEIPT AND A COPY OF THE COMPLETED AND SIGNED ORIGINAL APPLICATION NOTICE FORM WITH YOUR APPLICATION.

NOTE: Should you be approved for and receive a license for on-premises consumption of alcoholic beverages, please be aware that the above requirement is mandatory for ALL on-premises licensees, when renewing the license.

ALL APPLICANTS WILL BE REQUIRED TO BE FINGERPRINTED ELECTRONICALLY:

ELECTRONIC FINGERPRINTING

PERSONS REQUIRED TO BE FINGERPRINTED:

- All sole proprietors.
- All partners in a Partnership and Limited Liability Partnership (LLP).
- For Corporations and Limited Liability Companies (LLC) see instructions for line 10.

NOTE: Persons CURRENTLY licensed by the State Liquor Authority do not have to be fingerprinted.

- Each applicant required to be fingerprinted will be instructed to contact L-1 Enrollment Services after the successful submission of your applications.
- The fee for electronic fingerprinting is \$106.00 and will be paid directly to L-1 Enrollment Services when you are fingerprinted.

PENAL BOND (FORM L-9)

- Submit an **ORIGINAL** penal bond, Form L-9, in the sum of \$1,000, issued by any qualified surety company authorized to execute such bonds in the State of New York.
- **IMPORTANT: The bond MUST have the premises name and address typed EXACTLY AS IT APPEARS ON THE APPLICATION.**
- **Altered or handwritten bonds are not acceptable (i.e.: whiteouts, typeovers).**
- **The expiration date on the bond must indicate only the year of expiration of the license.**
- **The applicant MUST SIGN THE BOND.**

CONTRACTS

- Submit a copy of the contract of sale or purchase of business/stock, etc.

A CONTRACT OF SALE MUST BE SUBMITTED IF PURCHASING AN EXISTING BUSINESS AND APPLYING FOR A TEMPORARY RETAIL PERMIT.

PHOTOGRAPHS

- Must be at least 5" x 7" and NO POLAROIDs.
- **Interior Photographs** – showing interior of premises. Bars must be clearly shown together with a full view of the room or rooms – this includes kitchens.
- **Exterior Photographs** – Showing front of premises, structure or proposed site.
- **PHOTOS ARE REQUIRED AT THE TIME OF FILING THE APPLICATION. ADDITIONAL PHOTOS MAY BE REQUIRED IF RENOVATIONS OR CONSTRUCTION IS NOT COMPLETED AT THE TIME OF FILING.**
- You may submit your photos electronically. Please refer to the detailed instructions on our website.
- All hard copy photographs submitted **MUST BE ENDORSED** on the reverse side with the name and address of the applicant and the date when the photographs were taken.

DIAGRAMS

- **Reduced blueprints are NOT acceptable.**
 - **All diagrams must be submitted on 8 ½" x 11" paper AND MUST BE CLEARLY MARKED.**
 - **See examples at end of instructions**
1. **Interior Diagram:**
 - Diagram or sketch of the interior with dimensions. Label all rooms, including bathrooms, and the basement if part of the premises (ie. storage room, office, dining area, kitchen, food preparation area). Show the measurements and locations of the bar(s) and number of tables and chairs for patrons in each room. Show any outside dining/service areas (e.g. sidewalk café, deck, porch, etc.). If the premises is in a multi-unit or multi-story building, diagram must also state and show where it is located in the building.
 - Each floor should have its own diagram (including basement if part of the premises).

- Show all entrances and exits, sanitary facilities, display windows or other openings, counters, closets, shelves and storage areas.

2. **Frontal Elevation Diagram:**

- A sketch or elevation of the exterior of the premises showing entrances, windows, etc. (include dimensions) as proposed.
- A Block Plot Diagram showing all other buildings, lots, etc. must be submitted. Make sure that you label each building as business, residence or other description.
- **IMPORTANT: All submissions, including photographs and diagrams, must have the name and address of the applicant's premises.**

FILING RECEIPT OR ASSUMED NAME CERTIFICATE

- If applying as a Corporation, LLC or LP you must submit a Filing Receipt issued by the NYS Department of State showing proof of incorporation.
- If you have a trade name (DBA) you must file an Assumed Name Certificate issued by the NYS Department of State.

NOTICE OF APPEARANCE

- Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection a record of who appears before it for a fee as a third party (i.e. an attorney, an agent, a lobbyist or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency.
- This form must be completed and submitted by **all** applicants.
- If you have not had any assistance with the filing of the application and/or have not paid a fee to anyone for any assistance in the preparation or filing of this application, write "Not Represented" on the application, sign your name on line 6 and submit with the application.
- If you were assisted in the preparation and/or filing of the application, you must have the person you paid complete and submit the Notice of Appearance with the application.

FILING CHECKLIST

You can have the greatest impact on a timely licensing decision by reading the instructions thoroughly and submitting a complete application. After you have completed the application, use this checklist to ensure that you have met all filing requirements. Failure to submit any of the required documents may result in the rejection of your application or processing delays.

- **Did you complete every question on each required form?**
- **Did you remember to submit the following?**

_____ Application (with all questions answered)
_____ Application Payment Fee
_____ Penal Bond
_____ Photographs of Interior and Exterior of the Premises to be Licensed
_____ Personal Questionnaire(s)
_____ Proof of Citizenship & Photo Identification of all Principals
_____ Contract of Sale or Conveyance
_____ Lease Agreement
_____ Landlord Identification Questionnaire
_____ Diagrams
_____ Copies of Bank Statements and Loan Agreements
_____ Newspaper Affidavit
_____ Certificate of Authority to Collect Sales Tax
_____ Federal Tax Identification Number
_____ Filing Receipt (for Corporations, LLC's or LP's) and/or Assumed Name Certificate for Trade Names (DBA's)
_____ Menu

- **REMEMBER – Licenses cannot be issued without:**

_____ Certificate of Occupancy
_____ Worker's Compensation/Disability Benefits Policy Number

- **Did you sign?**

_____ Applicant's Statement
_____ Personal Questionnaire
_____ Personal or Certified Check made payable to the **New York State Liquor Authority**
_____ Penal Bond

REMINDER -

Everything submitted in support of this application must be identified with the name and address of the premises.