

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

400 East Tryon Road
Raleigh, NC 27610
(919) 779-0700 www.abc.nc.gov

HOW TO APPLY FOR AN ABC COMMERCIAL PERMIT

INSTRUCTIONS AND REQUIRED DOCUMENTS: *(Forms are available at www.abc.nc.gov)*

1. Complete this application in its entirety. Please print clearly or type. Application must be signed and notarized.
2. The correct fee(s) must be submitted with the application and supporting documents. Payment must be by a certified check, cashier's check or money order made payable to the North Carolina ABC Commission.
3. Include a black and white copy of applicant's valid photo ID.
4. Include one fingerprint card for each person required to submit an application for the business' permit. The fingerprint card must be completed (signed and filled out). The \$38.00 processing fee must be submitted by a certified check, cashier's check, money order or credit card (Visa, MasterCard, Discover). The certified check, cashier's check, and money order must be made payable to the North Carolina ABC Commission (may be combined with the application fee).
5. Include a completed Authority for Release form with each fingerprint card.
6. Include a copy of the executed lease or rental agreement or a copy of the registered deed, specifying the applicant (corporate/LLC name, if not individual ownership or partnership). This document must include the address of the business or a legal description of the property. The lease or rental agreement must include the beginning date and duration of agreement. Applicant must have possession of the property at the time the application is submitted.
7. Include a copy of the Federal Basic Permit or Brewers Notice.
8. Include a completed copy of the Inspection / Zoning Compliance form signed by the appropriate officials.
9. Include a detailed diagram of the premises (standard size, not over-sized and it may be hand drawn).
10. Photographs – Include a photo of the exterior front of the building with entrance and a photo of the interior of the business.
11. Corporations and LLCs must complete an Ownership Verification form.
12. Corporations must include a copy of the Articles of Incorporation (registered with NC Secretary of State with Active status).
13. LLCs must include copies of the Articles of Organization (registered with NC Secretary of State with Active status) and a copy of the Operating Agreement.

Wine Grower Applicants: Must also include a copy of the deed for the qualifying farm, stating the address of the farm and one of the following:

1. A survey indicating the areas and acreage used in the production of grapes (more detail is better); or
2. An affidavit stating that it is a farm of at least five acres committed to the production of grapes, listing the acreage used for the production of grapes and its function.

Liquor Importer / Bottler: Must also include, on a separate sheet of paper, a description of the operations of the business. Indicate the location address of any storage facility or bottling plant, if different than the address shown on the permit application, and any associated federal permit numbers.

Air Carrier: Must also include, on a separate sheet of paper, the name and location address of the airport(s) where products will be stored and sold.

Wine Shipper: Must also complete a Wine Shipper Brand Listing form.

ABC permits are location specific and cannot be transferred from one location to another. If a business is relocating, it must apply for ABC permits for the new location.

WHO MUST FILE:

INDIVIDUAL OWNERSHIP – Individual owner or sole proprietor is required to complete an application, fingerprint card, Authority for Release form and provide a copy of valid identification, in addition to the other required documents. The lease/deed and other documents

GENERAL PARTNERSHIP – Each partner is required to complete an application, fingerprint card, Authority for Release form and provide a copy of valid identification, in addition to the other required documents. The lease/deed and other documents

CORPORATION – Each 25% or more stockholder and each officer (President, Vice-President, Secretary, Treasurer) is required to complete an application, fingerprint card, Authority for Release form and provide a copy of valid identification, in addition to the other required documents. The lease/deed and other documents must be in the corporate name.

(For a corporation already holding permits and applying for an additional location under the same ownership entity, only one of the above persons or the site manager is required to complete an application and provide a valid ID, fingerprint card and Authority for Release form with the other required documents.)

(If a new corporate officer is appointed with no change of ownership, the new officer must complete an application and qualify for an ABC permit. No fee is required.)

LLC (LIMITED LIABILITY COMPANY): Each applicant is required to complete an application, fingerprint card, Authority for Release form and provide a copy of valid identification, in addition to the other required documents. The lease/deed and other documents must be in the LLC name.

Member-Managed LLC – All members owning a 25% or more interest must complete an application. If no one owns a 25% interest, the managing members must complete an application.

Manager-Managed LLC – All managers, as listed in the Operating Agreement, as well as all members owning a 25% or more interest, must submit a completed application.

(LLC already holding permits and applying for an additional location under the same ownership entity - only one of the above persons or the site manager is required to complete an application and provide valid ID, fingerprint card and Authority for Release form with the other required documents.)

(An LLC manager change with no change of ownership requires each new manager to complete an application and qualify for ABC permits. An updated Operating Agreement or an Amendment is needed. No fee is required.)

LIMITED PARTNERSHIP – The general partner is required to submit a completed application, fingerprint card, Authority for Release form and provide a copy of a valid identification, in addition to the other required documents. The lease/deed and other documents must be in the Limited Partnership name.

SITE MANAGER (for all applicants!) – The site manager must be a North Carolina resident. If none of the individuals required to complete an application are NC residents and will serve as the site manager, the site manager or general manager who is a NC resident, must submit a completed application, fingerprint card, Authority for Release form and provide a copy of a valid identification.

NON-RESIDENTS (Individual or Partnership) – Each non-resident individual shall complete an application, a fingerprint card, Authority for Release form and provide a copy of a valid identification. Additionally, a NC resident manager shall be appointed as attorney-in-fact for the business. This person shall also complete the required application. A certified copy of an executed power-of-attorney, which shall be registered in the county where the proposed licensed premises is located, shall be submitted with the application.

PLEASE MAKE A COPY OF THIS APPLICATION AND OTHER DOCUMENTS PRIOR TO SUBMITTING THEM TO THE COMMISSION.

If Corporation, Corporate name: _____
Applicant's position/title: President Vice-President Secretary Treasurer _____ % Stockholder
If 25% or more stockholder is another entity, name of entity: _____

If Limited Liability Company (LLC), LLC name: _____
 Member-Managed LLC Manager-Managed LLC
Representative's position/title: President Vice-President Secretary Treasurer _____ % Stockholder
(LLCs must also provide a copy of the Operating Agreement)

If a Limited Partnership, Limited Partnership Name: _____
General Partner Name: _____

REGISTERED AGENT INFORMATION (*Corporations, LLCs and Limited Partnerships*)

Registered Agent Name: _____

Registered Agent Mailing Address: _____
Street Address/PO Box City State Zip Code

Registered Agent Location Address: _____
Street Address City State Zip Code

It is a Crime to make a false statement to obtain an ABC permit.

I CERTIFY UNDER OATH OR AFFIRMATION THAT:

- The information on this application is correct to the best of my knowledge.
- I am not less than 21 years of age. (Except for a manager of a business selling only malt beverages and unfortified wine, or a manager of an establishment operated by a corporation holding off premise permits for malt beverage and unfortified wine, in which case I certify I am not less than 19 years of age.)
- I have not been convicted of a misdemeanor controlled substance offense or an alcoholic beverage offense within the past two (2) years.
- I have not been convicted of a felony within the past three (3) years, and if convicted of a felony before then, I have had my citizenship restored. (*NOTE: Conviction is defined as, "A person who has been "convicted" and found guilty or has entered a plea of guilty or nolo contendere, and for which a judgment has been entered."*)
- I have not had an alcoholic beverage permit revoked within the past three years.
- I am a resident of the state of North Carolina. (Except for an officer, stockholder or interest holder of a corporate/LLC applicant not responsible for the day to day operation of the business, or an applicant that has executed a power of attorney in accordance with G.S. 18B-900(a)(2)(b).)
- I am an owner, lessee or manager/site manager of the premises to be covered by the ABC permit(s).
- I have no financial interest in any alcoholic beverage manufacturing, bottling or wholesale distribution business, except as authorized for North Carolina wineries, breweries and distilleries under Article 11 of Chapter 18B of the North Carolina General Statutes.

State of NC, County of _____

Signature of Applicant Date

Sworn to and subscribed before me this the _____ of _____
Day Month Year

My Commission Expires: _____
Date of Expiration Signature of Notary
(or other person qualified by law to administer oaths)

(NOTE: MUST BE STAMPED OR SEALED BY NOTARY)

FORWARD THIS APPLICATION, FEE(S) AND REQUIRED DOCUMENTS TO:

If sending USPS, Express Mail, FedEx or UPS:
NC ABC COMMISSION
400 EAST TRYON ROAD
RALEIGH, NC 27610

As an alternative for US Postal Service (regular delivery):
NC ABC COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH, NC 27699-4307