



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION

APPLICATION FOR COMMON AREA ENTERTAINMENT PERMIT

- Authorizes a customer of a multi-tenant establishment holding this permit to exit a licensed premises with an open container of an alcoholic beverage sold by a tenant holding the proper ABC permit(s). It allows the customer to consume the alcoholic beverage within the confines of any indoor or outdoor common area designated by the owner of the property, who holds this permit, for the consumption of alcoholic beverages. A Hotel or Multi-Tenant Establishment, as described below, may apply for the permit.
- HOTEL – An establishment engaged in the business of furnishing lodging. The hotel has a restaurant either on the premises or a restaurant closely associated with the premises. The hotel and restaurant do not need to be owned by the same person/entity.
- MULTI-TENANT ESTABLISHMENT – A building or structure, or multiple buildings or structures on the same property, or within the same planned development, under common ownership, control or property owners' association governance. It contains multiple businesses which sell food, goods, services or a combination thereof, and includes or is connected by common areas.
(A shopping mall is not a multi-tenant establishment if more than fifty percent (50%) of the shopping mall's common areas, measured in acreage or square footage, are enclosed and air-conditioned. However, any outdoor common area not used for parking and is associated with the shopping mall shall be deemed as appropriate for the Common Area Entertainment Permit.)
- PERMIT CONDITIONS:
 1. Owner or property owners' association of the multi-tenant establishment shall designate the common area in which alcoholic beverages may be consumed and post signs in conspicuous locations on the multi-tenant property identifying the designated common area. The owner or property owner's association must submit a plat or map to the ABC Commission for review and approval. The Commission will reject any plat or map which does not meet the following statutory requirements:
 - a. A plat of the multi-tenant establishment with the designated outdoor common area designated for alcohol consumption clearly marked; or,
 - b. A detailed map of the relevant building on the multi-tenant property for a designated indoor common area with the designated area for alcohol consumption clearly marked;
 - c. The owner or property owners' association of the multi-tenant establishment shall submit a plat or map as required for each renewal of the permit and at least ten (10) days prior to making any adjustments to the designated common area.
 2. Alcoholic beverages sold for consumption in the designated common area shall be dispensed only in a container that clearly identifies the licensed premises from which the beverage was purchased. The amount of alcoholic beverage dispensed into this container shall not exceed sixteen (16) ounces.
 3. A customer is not allowed to possess or consume more than one alcoholic beverage at a time while in the designated common area.

4. Alcoholic beverages may only be possessed or consumed within the designated common area during the hours in which the alcoholic beverage may be sold under G.S. 18B-1004. It is unlawful to sell alcoholic beverages between the hours of 2:00 am and 7:00 am and unlawful to consume alcoholic beverages between the hours of 2:30 am and 7:00 am. On Sundays, it is unlawful to sell alcoholic beverages between the hours of 2:00 am and 12:00 noon, unless a city or county has elected to allow Sunday sales beginning at 10:00 am.
 5. The owner or the property owners' association of the multi-tenant establishment may further limit the days and times in which alcoholic beverages may be consumed in the designated common area. Signs shall be posted in conspicuous locations in the multi-tenant property indicating the days and times alcohol may be consumed in the designated common area.
 6. A customer in the designated common area shall dispose of any alcoholic beverage in his or her possession prior to exiting the common area unless the customer is entering an ABC licensed premises which allows a customer to enter with the alcoholic beverage.
 7. A customer is not allowed to bring and/or consume alcoholic beverages in the designated common area not purchased from a tenant of the multi-tenant establishment holding the applicable permit.
 8. Additional conditions may be imposed by the ABC Commission and may be found on the Commission's website.
- **WHO MUST FILE AN APPLICATION** – Each individual required to file an application based upon the requirements for each type of ownership must complete the application, provide a completed fingerprint card (there is a \$38.00 additional processing fee for each fingerprint card submitted), a completed Authority for Release form, and a black and white copy of their valid photo ID.
 1. **Individual Ownership** – The individual owner of the business is required to file an application.
 2. **General Partnership** – Each partner is required to file a separate application.
 3. **Corporation Not Holding** a permit in North Carolina – Stockholders owning a 25% or greater interest and each officer (President, Vice President, Secretary and Treasurer) must file separate applications. (Note: Articles of Incorporation must be submitted, including documentation to support ownership as outlined above.)
 4. **Corporation Currently Holding** a permit in North Carolina and are applying for an additional location – Only one officer or the manager is required to file an application.
 5. **Limited Liability Corporation (LLC) Not Holding** a permit in North Carolina – If Member-Managed, all members owning a 25% or greater interest must file an application; or, if no one owns 25% interest, the managing member(s) must file an application. If Manager-Managed, the person or persons acting as manager(s) on behalf of the LLC must file an application; additionally, any member who owns a 25% or greater interest in the company must also file an application. (NOTE: Articles of Organization must be submitted, including documentation to support ownership as outlined above. If Manager-Managed, a copy of the Operating Agreement must also be submitted.)
 6. **Limited Liability Corporation (LLC) Currently Holding** a permit in North Carolina and are applying for a permit at an additional location – Only one officer/member or the site manager is required to file an application.
 7. **Limited Partnership** – The general partner is required to file an application.
 8. **Manager/Site Manager** – A North Carolina resident must submit an application as the manager/site manager of the establishment. If none of the above-referenced applicants will fulfill this role, an additional application, fingerprint card, Authority for Release and identification must be submitted.
 - **THE APPLICATION FEE FOR THE COMMON AREA ENTERTAINMENT PERMIT IS \$750.00. The renewal fee is \$750.00 each year.**

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

TEMPORARY PERMIT #: _____
DATE ISSUED: _____
EXPIRATION DATE: _____

AMOUNT OF FEE PAID: _____
DATE: _____
RECEIVED BY: _____

DATE RECEIVED: _____
APPROVED / DENIED
BY: _____

APPLICATION FOR COMMON AREA ENTERTAINMENT PERMIT

Application Instructions:

- A. Complete this application in its entirety. (Please print legibly)
- B. The application must be signed and notarized.
- C. The correct fee (\$750.00) must be submitted with the application. Payment must be certified check, cashier's check or money order and made payable to the North Carolina ABC Commission. The fingerprint processing fee of \$38.00 must also be included for each submitted fingerprint card.
- D. The required plat or map with the designated common area clearly marked must be included with the application.
- E. All ownership types other than Individual or Partnership must provide a copy of the Articles or the Authorization documents filed with the office of the North Carolina Secretary of State. A copy of the Ownership Form must also be completed and submitted.
- F. A completed Proof of Alcohol Seller/Server Training Form or certificate showing completed training from an ABC Commission approved program must be included.

COUNTY _____ *If Business is located inside city limits, also indicate city* CITY _____

- TYPE OF OWNERSHIP *(Check One)*
- Individual – (Complete sections A, B and F below)
 - General Partnership – (Complete sections A, B, and F below)
 - Corporation – (Complete sections A, B, C, F and G below)
 - Limited Liability Company – (Complete sections A, B, D, F and G below)
 - Limited Partnership – (Complete sections A, B, E, F and G below)

SECTION A

Trade Name of Business _____

Location of Business _____
Street Address City State Zip Code

Mailing Address of Business _____
Street Address/PO Box City State Zip Code

SECTION B

Applicant's Full Name _____
(No Abbreviations) First Middle Last

Date of Birth _____ Social Security # (Last 4 Only) _____ Business Telephone # _____

SECTION C

If Incorporated, Corporate Name _____

Position in Corp.(circle one) President Vice-President Secretary Treasurer Manager Stockholder % _____

If 25% or more stockholder is another business entity, name entity _____

Applicant's position in this entity: _____

SECTION D

If LLC, Corporate Name _____

Form of LLC Management Member Managed Manager Managed Interest Holder % _____ Site Manager Site Mgr Only

If 25% or more stockholder is another business entity, name entity _____

Applicant's position in this entity: _____

SECTION E

If Limited Partnership, Limited Partnership Name _____
General Partner Name _____
If General Partnership is a corporation, their position in corporation: _____

SECTION F

Residential Address _____
Street Address City State Zip Code
Business phone # _____ Cell phone # _____ Email address _____

SECTION G

Corporations, LLC and Limited Partnerships
Registered Agent _____
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:

- I acknowledge I have read the information provided in the Application for Common Area Entertainment Permit and understand the requirements and conditions.
- The information on this application is correct to the best of my knowledge.
- I am not less than 21 years of age.
- I have not been convicted of a misdemeanor controlled substance offense or an alcoholic beverage offense within the last two years.
- I have not been convicted of a felony within the past three 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 three years.
- I am a resident of the state of North Carolina (except for an officer or stockholder/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.

Signature of Individual Filing Application Date
Sworn to and subscribed before me this the _____
Day Month Year
My Commission expires _____
Signature of Notary or other person qualified by law to administer oaths

MAIL THE COMPLETED APPLICATION TO EITHER OF THE FOLLOWING:

U.S. POSTAL SERVICE (REGULAR MAIL):
NC ABC COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH, NC 27699-4307

U.S. POSTAL SERVICE EXPRESS MAIL OR FEDEX/UPS:
NC ABC COMMISSION
400 EAST TRYON ROAD
RALEIGH, NC 27610