



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION

APPLICATION FOR DELIVERY SERVICE PERMIT (FOR A BUSINESS CURRENTLY HOLDING OR APPLYING FOR AN ABC RETAIL PERMIT)

- Authorizes the holder of this permit, or the permit holder's employee or independent contractor, to deliver malt beverages, unfortified wine, or fortified wine on behalf of a retailer holding the related permit(s) issued by the NC ABC Commission, to a location designated by the purchaser.
- A delivery service permittee may also facilitate deliveries through services which connect consumers and permitted retailers through the use of the Internet, mobile applications and other similar technology.
- **PERMIT CONDITIONS:**
 1. The individual making the actual delivery of the alcoholic beverages for the Delivery Service Permit holder must be at least 21 years of age.
 2. Training – Prior to making any deliveries, each individual delivering alcoholic beverages pursuant to a Delivery Service Permit, must successfully complete a course related to the delivery of alcoholic beverages, which has been approved by the Commission. **(A physical copy of the certificate must be in the individual's possession whenever making deliveries.)** The required training and additional information regarding training are available on our website at www.abc.nc.gov.
 3. Payment – The customer must pay the retail business for the alcoholic beverages prior to the individual delivering the alcoholic beverages takes possession. The individual delivering the alcoholic beverages pursuant to the Delivery Service Permit shall not handle or possess funds used to purchase an alcoholic beverage.
 4. Age of Recipient of the Alcoholic Beverages – The alcoholic beverages may only be delivered to an individual who is at least 21 years of age and they must take immediate and actual possession of the alcoholic beverages purchased. The individual delivering alcoholic beverages on behalf of the holder of the Delivery Service Permit should verify the age of the recipient.
 5. Notice for Obscured Packaging – Any alcoholic beverages to be delivered in packaging which obscures the manufacturer's original packaging shall have affixed to the outside of the package a notice in 26-point type or larger: "CONTAINS ALCOHOLIC BEVERAGES; AGE VERIFICATION REQUIRED".
 6. Limitations – A Delivery Service permittee shall only deliver alcoholic beverages to a jurisdiction within North Carolina that has authorized the sale of the purchased alcoholic beverages and only deliver within the time allowed for lawful sales and consumption in the jurisdiction where the delivery recipient is located.
 - a. Alcoholic beverages may only be possessed or consumed 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.
 - b. No delivery shall be made to any jurisdiction within North Carolina that has not authorized the sale of the purchased alcoholic beverages.
 - c. A Delivery Service permittee shall not deliver alcoholic beverages to another licensed retailer.

- d. A Delivery Service permittee shall not deliver alcoholic beverages to a location more than fifty (50) miles from the retailer's licensed premises.
 - e. Only alcoholic beverages purchased from the retailer's existing inventory may be delivered for the purchaser's personal consumption pursuant to a Delivery Service Permit.
7. Scope and Construction –
 - a. A Delivery Service Permit is not required for a common carrier lawfully transporting or shipping alcoholic beverages.
 - b. It should not be construed that the delivery of alcoholic beverages pursuant to the Delivery Service Permit is exempt from the requirements set forth in Article 4 of Chapter 18B of the General Statutes.
 - c. A technology services company that only provides software or an application which connects consumers and licensed retailers for the delivery of alcoholic beverages from a licensed retailer is not required to obtain a Delivery Service Permit if the company does not employ or contract with delivery drivers.
 8. Penalties for Violations in Residence Halls – Notwithstanding G.S. 18B-104, if a Delivery Service permittee commits a violation of this Chapter for delivering to a residence hall located on the premises of an institution of higher education, the Delivery Service permittee shall be subject to a fine of up to one thousand dollars (\$1,000) for the first violation; up to one thousand five hundred dollars (\$1,500) for a second violation within three years of the first violation; and up to two thousand dollars (\$2,000) for a third or subsequent violation within three years of the first violation.
 9. Additional conditions may be imposed by the ABC Commission and may be found on the Commission's website.
- **THE APPLICATION FEE FOR THE DELIVERY SERVICE PERMIT IS \$400.00. The renewal fee is \$400.00 each year.**

AS AN EXISTING PERMIT HOLDER , ONE OF THE FOLLOWING INDIVIDUALS MUST APPLY

- **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 25% or more 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** – Only one officer or the site 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 is 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.

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

TEMPORARY PERMIT #: _____
DATE ISSUED: _____
EXP. DATE: _____

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

APPLICATION #: _____
APPROVED / DENIED
BY: _____

APPLICATION FOR DELIVERY SERVICE PERMIT (FOR A BUSINESS CURRENTLY HOLDING AN ABC RETAIL PERMIT)

Application Instructions:

1. Complete this application in its entirety. (Please print legibly)
2. The application must be signed and notarized.
3. Include a black and white copy of the applicant's valid photo ID.
4. Include one (1) completed fingerprint card for the applicant and a completed Authority for Release form. (The fingerprint processing fee is \$38.00 per person.)
5. The correct fee (\$400.00) 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 per person must also be submitted.

FILE NUMBER _____ PERMIT NUMBER _____

Trade Name of Business _____

Business Ownership Name _____

Location of Business _____
Street Address City State Zip Code

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

Business Location Telephone # _____

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

Applicant's Title _____

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

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

I CERTIFY UNDER OATH OR AFFIRMATION THAT:

- I acknowledge each individual making deliveries has completed the required training.
- I acknowledge I have read the information, including Permit Conditions, provided in the Application for the Delivery Service 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, or an applicant that has executed a power of attorney in accordance with G.S. 18B-900(a)(2)(b).
- 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 NC General Statutes.
- I understand a failure to abide by the ABC laws and regulations may result in the immediate revocation of my privilege to deliver alcohol utilizing this permit.

Signature of Individual Filing Application

Date

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

My Commission expires _____
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