

ABC RETAIL PERMIT APPLICATION CHECKLIST – LIMITED LIABILITY COMPANY (LLC)

The North Carolina ABC Commission is dedicated to providing excellent customer service to the citizens of our great State and understands the necessity of receiving ABC permit(s) in a timely manner. This checklist, designed specifically for the referenced ownership, will assist in navigating through the ABC Retail Application process to ensure you have provided the necessary documentation for a complete packet. To facilitate this process, please submit the documents in the order listed, without any omission, as that will result in a delay of processing your application.

Who Must Apply:

- **Member-managed LLC**
 - All members owning 25% or greater interest in the LLC and the on-site manager must complete an application (*on-site manager must be NC resident*).
 - If no one owns a 25% or greater interest in the LLC, the managing member(s) and the on-site manager must complete an application (*on-site manager must be NC resident*).
- **Manager-managed LLC**
 - All members owning 25% or greater interest in the LLC, all managers outlined in the LLC's Operating Agreement, and the on-site manager must submit a separate application (*on-site manager must be NC resident*).

Note: If a 25% or greater interest holder of the applying entity is another business entity (corporation or LLC) or if an entity is designated as the manager of the applying LLC, a partner, officer or member must complete an application on behalf of that business entity.

CHECKLIST DOCUMENTS

- **APPLICATION**
 - Must be completed in its entirety
 - Must be signed and notarized
- **LEASE/RENTAL AGREEMENT OR A COPY OF THE RECORDED DEED**
 - Limited Liability Company must be the tenant under a lease/rental agreement or Grantee under recorded deed
 - Address of leased premises must be included
 - Lease term (if lease/rental agreement) to include commencement and expiration dates
- **ARTICLES OF ORGANIZATION**
 - Must be registered with NC Secretary of State (in an Active status)
- **OWNERSHIP VERIFICATION FORM**
 - Must list all LLC members, their interest within the LLC and be signed and notarized
- **OPERATING AGREEMENT**
 - Must have an effective date and be signed by all applicable parties
- **DIAGRAM**
 - Include detailed diagram of the premises (standard size, not over-sized and it may be hand drawn)
 - Diagrams must include all entrances/exits, bar area(s), kitchen, office, and patio (if applicable)

ABC RETAIL PERMIT APPLICATION CHECKLIST – LIMITED LIABILITY COMPANY (LLC)

- **INSPECTION/ZONING COMPLIANCE FORM** (cannot be accepted if inspections are over 180 days)
 - All sections completed and signed by appropriate officials
- **LOCAL GOVERNMENT OPINION FORM** (cannot be accepted if the designated official's signature is over 180 days)
 - Completed and signed by designated official on file
 - Official's signature must be notarized
- **RECYCLE FORM**
 - ONLY required if applying for permits for ON PREMISE consumption
- **ALCOHOL SELLER/SERVER TRAINING**
 - Certificate of completion of training
- **PHOTOS**
 - Front exterior of the premises
 - Interior of the premises
- **FEIN – SSN VERIFICATION FORM**
 - Complete and sign
- **IDENTIFICATION**
 - All applicants must submit **black and white** copy of valid photo ID
- **FINGERPRINT CARD** (fingerprint card is required unless prints have been submitted in the past for an ABC permit)
 - Completed, signed and FULL SS# on card
 - Authority for Release of Information form must be completed, signed and included with fingerprint card
 - \$38.00 fingerprint processing fee (per applicant)
- **CORRECT FEE(S) FOR PERMIT(S) AND FINGERPRINT FEE**
 - Certified check, cashier's check or money order
 - Payable to NC ABC Commission
 - If paying by credit card, complete credit card form (Visa, MasterCard, Discover)

NOTE: OTHER DOCUMENTS REQUIRED FOR SPECIFIC ESTABLISHMENTS (RESTAURANTS AND HOTELS AND PRIVATE CLUBS) ARE LISTED UNDER IN THE INSTRUCTIONS OF THE RETAIL APPLICATION..

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 RETAIL 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 or by completing the credit card authorization form.
3. Include a black and white copy of each applicant's valid photo ID.
4. Include one fingerprint card for each person required to submit an application for the business' permit(s). The fingerprint card must be completed (signed and filled out). The \$38.00 processing fee for each fingerprint card 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 an 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 completed copy of the Inspection / Zoning Compliance form signed by the appropriate officials.
8. Include a completed copy of the Local Government Opinion form signed by the appropriate official. Information on the designated official may be found on our website, using the search function in "Local Government Opinion".
9. Include a copy of the training certificate available upon completion of the online training available at www.abc.nc.gov/Training or have the instructor of an in-person training complete the Proof of Alcohol Seller / Server Training form
10. On-premise applicants include a completed copy of the appropriate Recycling form.
11. Include a detailed diagram of the premises (standard size, not over-sized and it may be hand drawn). Diagrams must include all entrances/exits, bar area(s), kitchen, office, and patio (if applicable).
12. Photographs – Include photos of the exterior front of the building with entrance and the interior of the business.
13. Corporations and LLCs must complete an Ownership Verification form.
14. Corporations must include a copy of the Articles of Incorporation (registered with the NC Secretary of State with Active status).
15. LLCs must include copies of the Articles of Organization (registered with the NC Secretary of State with Active status) and a copy of the Operating Agreement.

RESTAURANTS and HOTELS: *(When applying for an on premise fortified wine, mixed beverage or brown-bagging permit, include)*

1. A copy of the food menu (standard size, not over-sized).
2. A price list of the common or popular mixed beverages.
3. Additional photographs showing:
 - a. All dining areas, including patios and outdoor areas.
 - b. The bars, counters and mixing stations.
 - c. The storage area(s) for alcoholic beverages.
 - d. The entire kitchen with all equipment.

PRIVATE CLUBS:

1. A copy of the membership card or certificate.
2. A copy of the membership application form.
3. A copy of the written policy granting full and limited memberships.
4. A copy of the written policy on use of the facilities by members and their guests.
5. A copy of the charter, constitution, and by-laws if any are applicable.
6. A copy of the organization's 501(c)(3) tax exempt letter from the Internal Revenue Service.

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 a valid identification, in addition to providing the other required documents. The lease/deed and other documents must be in the individual owners name.

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

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 a valid identification, in addition to providing 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 must submit a completed application, fingerprint card, Authority for Release form and provide a copy of a valid identification, in addition to providing 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 a 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 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 providing 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; then 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.

PERMIT REGISTRATION AND RENEWAL:

All Malt Beverage, Unfortified Wine and Fortified Wine permits, both on and off premises, must be registered each year by May 1st. The notices, including information about payment(s) due, are usually sent by mail to permit holders during the month of February.

All Mixed Beverage, Brown-bagging, Special Occasion, Brew on Premises, Wine Shipper Packager, Wine Shop, Winemaking on Premises, Wine Tasting and Malt Beverage Tasting permits expire on April 30th each year and must be renewed. The renewal notices, including information about payment(s) due, are usually sent by mail to permit holders during the month of February.

Permittees are responsible for the registration and renewal of permits each year. Failure to receive a notice is not justification for being allowed to retain the permit beyond the due date. Permits not renewed will be cancelled. After cancellation, should permits be desired, a new application must be submitted, and the full fee paid. Application, registration and renewal fees are not prorated.

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

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

APPLICATION FOR ABC RETAIL PERMIT

TEMP. PERMIT #: _____	FEES PAID	APPLICATION #: _____
Malt Beverage <input type="checkbox"/> ON <input type="checkbox"/> OFF	_____	Approved <input type="checkbox"/>
Unfortified Wine <input type="checkbox"/> ON <input type="checkbox"/> OFF	_____	Rejected <input type="checkbox"/>
Fortified Wine <input type="checkbox"/> ON <input type="checkbox"/> OFF	_____	
Mixed Beverage _____	<i>Fingerprints</i>	
Other _____		
Date Issued: _____	Date: _____	By: _____
Expiration Date: _____	Received By: _____	Date: _____

(Do Not Write Above This Line)

I hereby make application to the North Carolina Alcoholic Beverage Control Commission for the following permit(s) at this location:
(Check the appropriate block(s))

- | | | |
|---|---|---|
| <input type="checkbox"/> Malt Beverage (Beer) On Premise (\$400) | <input type="checkbox"/> Unfortified Wine On Premise (\$400) | <input type="checkbox"/> Fortified Wine On Premise (\$400) |
| <input type="checkbox"/> Malt Beverage (Beer) Off Premise (\$400) | <input type="checkbox"/> Unfortified Wine Off Premise (\$400) | <input type="checkbox"/> Fortified Wine Off Premise (\$400) |
| <input type="checkbox"/> Malt Beverage Tasting (\$100) | <input type="checkbox"/> Wine Tasting (\$100) | <input type="checkbox"/> Wine Shop (\$100) |
| <input type="checkbox"/> Malt Beverage Shop (\$100) | | |
-
- | | | |
|--|---|---|
| <input type="checkbox"/> Malt Beverage On Premise Only (Tour Boat) (\$400) | <input type="checkbox"/> Unfortified Wine On Premise Only (Tour Boat) (\$400) | <input type="checkbox"/> Fortified Wine On Premise Only (Tour Boat) (\$400) |
|--|---|---|
-
- | | | |
|--|--|---|
| <input type="checkbox"/> Mixed Beverages Restaurant (\$1000) | <input type="checkbox"/> Mixed Beverages Nonprofit Organization (\$1000) | <input type="checkbox"/> Mixed Beverages Tourism Resort (\$1000) |
| <input type="checkbox"/> Mixed Beverages Hotel (\$1000) | <input type="checkbox"/> Mixed Beverages Political Organization (\$1000) | <input type="checkbox"/> Mixed Beverages Tourism ABC Establishment (\$1000) |
| <input type="checkbox"/> Mixed Beverages Private Bar (\$1000) | <input type="checkbox"/> Mixed Beverages Convention Center (\$1000) | <input type="checkbox"/> Mixed Beverages Residential Private Club (\$1000) |
| <input type="checkbox"/> Mixed Beverages Private Club (\$1000) | <input type="checkbox"/> Mixed Beverages Community Theater (\$1000) | |
| <input type="checkbox"/> Mixed Beverages Sports Club (\$1000) | <input type="checkbox"/> Mixed Beverages Guest Room Cabinet (\$1000) | |
| <input type="checkbox"/> Mixed Beverages Distillery (\$1000) | <input type="checkbox"/> Mixed Beverages Tour Boat (\$1000) | |
| <input type="checkbox"/> Mixed Beverages Catering (\$200) | | |
-
- | | | |
|---|--|---|
| <input type="checkbox"/> Brown-bagging Restaurant (Small) 36-49 seating capacity (\$200) | <input type="checkbox"/> Brown-bagging Private Club (\$400) | <input type="checkbox"/> Culinary (\$200) |
| <input type="checkbox"/> Brown-bagging Restaurant (Large) 50 or more seating capacity (\$400) | <input type="checkbox"/> Brown-bagging Community Theater (\$400) | <input type="checkbox"/> Brew On Premise (\$400) |
| <input type="checkbox"/> Bring Your Own Beverage (\$50) (Adult Entertainment Business Only) | <input type="checkbox"/> Brown-bagging Veterans Organization (\$400) | <input type="checkbox"/> Wine Making On Premise (\$400) |
| | <input type="checkbox"/> Special Occasion (\$400) | <input type="checkbox"/> Mobile Bar Services (\$500) |
| | <input type="checkbox"/> Cotenant (\$50) | |

BUSINESS INFORMATION

(If Business is located inside city limits, also list city)

COUNTY: _____ CITY: _____

Business/Company Name: _____ Trade Name: _____

Location Address: _____
Street Address City State Zip Code

Mailing Address: _____
Street Address/Post Office Box City State Zip Code

- Type of Ownership: Individual Partnership Corporation Limited Liability Co. Limited Partnership
- Owner must apply Partners must apply Officers and 25% or more shareholders must apply Members owning 25% or more must apply (managing member) General Partner Must Apply

APPLICANT INFORMATION *(Separate form for each applicant)*

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

Date of Birth: _____ Soc. Sec. # _____ Email Address: _____
(last 4 digits)

Residential Address: _____
Street Address City State Zip Code

Phone Numbers: _____
Daytime Business Mobile Fax

Position in Company: _____ Site Manager Only:

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



State of North Carolina
ALCOHOLIC BEVERAGE CONTROL COMMISSION

4307 MAIL SERVICE CENTER
RALEIGH, NC 27699-4307

(919) 779-0700
FAX (919) 662-3583

CORPORATION

LIST OF OFFICERS AND STOCKHOLDERS:

Table with 3 columns: NAME, TITLE, % OF STOCK OWNED. Includes three blank rows for data entry.

SIGNED: _____

LIMITED LIABILITY COMPANY

LIST OF MEMBERS AND PERCENTAGE OF MEMBER'S INTEREST:

Table with 2 columns: NAME, % OF MEMBER'S INTEREST. Includes three blank rows for data entry.

SIGNED: _____

STATE OF NORTH CAROLINA, COUNTY OF _____

I CERTIFY THAT _____ PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING DOCUMENT. WITNESS MY HAND AND OFFICIAL SEAL, THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC MY COMMISSION EXPIRES: _____



State of North Carolina
ALCOHOLIC BEVERAGE CONTROL COMMISSION

4307 MAIL SERVICE CENTER
RALEIGH, NC 27699-4307

(919) 779-0700
FAX (919) 662-3583

**FEDERAL EMPLOYER IDENTIFICATION/SOCIAL SECURITY NUMBER
VERIFICATION FORM**

Sole Proprietor: _____
(please print complete name)

SSN _____
Social Security Number

Corporation Name: _____

Limited Liability Company Name: _____

FEIN _____
Federal Employer Identification Number

Trade Name: _____

Address of Business: _____

SIGNED: _____

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

4307 MAIL SERVICE CENTER
RALEIGH NC 27699-4307
(919) 779-0700 FAX: (919) 662-3583
abc.nc.gov

INSPECTION/ZONING COMPLIANCE

IMPORTANT: The Applicant will complete SECTION A, below. SECTION B through SECTION E, below, are to be completed by the appropriate Inspection/Zoning Official. To request inspections and zoning certifications, please contact the city or county building and fire inspection and zoning departments for your area. Failure to submit this form in a timely manner to these local authorities may result in delays in processing of an ABC permit application. This form must be completed by the building, fire and zoning officials before a permit will be issued

SECTION A - APPLICANT TO COMPLETE

Name of Applicant _____
Trade Name of Business _____
Address of Business _____
City _____ County _____
Phone # (____) _____
Type of Establishment _____ Permit(s) Applying For _____

SECTION B - BUILDING INSPECTOR TO COMPLETE

Building Code:

Building is in - Compliance Non-compliance* Not Applicable

Building Inspector's Name (printed) and Signature _____
Phone # (____) _____ Date of Inspection _____

SECTION C - FIRE INSPECTOR TO COMPLETE

Fire Code:

Building is in - Compliance Non-compliance* Not Applicable

Fire Inspector's Name (printed) and Signature _____
Phone # (____) _____ Date of Inspection _____

SECTION D - ZONING OFFICIAL TO COMPLETE

Zoning:

Business is in - Compliance Non-compliance* Not Applicable

Is business located in an Urban Redevelopment Area (Article 22 of Chapter 160A) Yes No

If "Yes", has establishment been given notice that it is in an Urban Redevelopment Area and must comply with the requirements of N.C.G.S. 18B-309 Yes No

Zoning Classification _____
Permitted uses in this zone _____
Zoning Official's Name (printed) and Signature _____
Phone # (____) _____ Date of Inspection _____

*Please state reasons for "Noncompliance" in SECTION E on back of this page.

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

4307 Mail Service Center
Raleigh, NC 27699-4307
(919)779-0700 FAX: (919)662-3583

**LOCAL GOVERNMENT OPINION
for ALCOHOLIC BEVERAGE PERMITS**

APPLICANT SHOULD COMPLETE THIS SECTION ONLY

Applicant's Name _____
Corporate or LLC Name (if applicable) _____
Trade Name of Business _____
Former Trade Name (if any) _____
Business Address _____
City/State _____
Date of Birth _____
NC Driver's License # _____
Last 4 of Social Security # _____

TYPE OF ABC PERMIT(S) BEING APPLIED FOR:

_____ On Premise
Indicate Type (if any)

_____ Off Premise
Indicate Type (if any)

REMAINDER OF FORM FOR OFFICIAL USE ONLY

Date Form 001 Mailed or Delivered _____
Designated Official's Name _____
Title _____
City/County _____
Address _____
Contact Telephone # _____

NOTICE: The Alcoholic Beverage Control Commission shall give notice of a permit application to the Governing body of a city or county prior to issuing a retail ABC permit. Designated Officials are expected to process this form within 15 days of receipt. The applicant will be required to provide proof of mandatory compliance with all applicable building and fire codes. The Inspection/Zoning Compliance form (Form 002) is for this purpose and will be completed by the appropriate local agencies.

FACTORS IN ISSUING A PERMIT: Pursuant to N.C.G.S. 18B-901(c), before issuing a permit, the ABC Commission shall be satisfied the applicant is a suitable person and that the location is a suitable place.

PLEASE INDICATE YOUR ANSWER TO THE FOLLOWING:

Do you approve of the applicant and location for the ABC permit?

YES _____ Applicant _____ NO _____ Applicant _____
Location _____ Location _____

Disapprovals: Pursuant to N.C.G.S. 18B-901 (b), to be considered by the ABC Commission, the objections shall state the facts upon which it is based. If you have indicated disapproval by answering "NO", please explain your reason(s) based on the factors outlined in N.C.G.S. 18B-901(c) on the attached page. Use extra sheets if additional space is required and attach all records and/or documents used to arrive at your decision. The mere indication of "NO" without an explanation is an insufficient basis for rejection and cannot be considered by the Commission.

Signature of Designated Official Date

Title of Designated Official

State of North Carolina
_____ County

_____ Being duly sworn says that the contents of the foregoing Local Government Opinion are true to his/her own knowledge, except as to matters stated on information and belief, and as to those matter(s) he/she believes them to be true.

Sworn to and subscribed before me this:

Day Month Year

(Notary Public's Signature)

§ 18B-901. Issuance of permits.

(a) Who Issues. – All ABC permits shall be issued by the Commission. Purchase-transportation permits shall be issued by local boards or distilleries under G.S. 18B-403.

(b) Notice to Local Government. – Before issuing a retail ABC permit, other than a:

- (1) Special occasion permit under G.S. 18B-1001(8);
- (2) Limited special occasion permit under G.S. 18B-1001(9);
- (3) Temporary permit under G.S. 18B-905; or
- (4) Special one-time permit under G.S. 18B-1002

for an establishment, the Commission shall give notice of the permit application to the governing body of the city in which the establishment is located. If the establishment is not inside a city, the Commission shall give notice to the governing body of the county. The Commission shall allow the local governing body 15 days from the time the notice was mailed or delivered to file written objection to the issuance of the permit. To be considered by the Commission, the objection shall state the facts upon which it is based.

(c) Factors in Issuing Permit. – Before issuing a permit, the Commission shall be satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. To be a suitable place, the local governing body shall return a Zoning and Compliance Form to the Commission on a form provided by the Commission to show the establishment is in compliance with all applicable building and fire codes and, if applicable, has been notified that it is located in an Urban Redevelopment Area as defined by Article 22 of Chapter 160A of the General Statutes and as required by G.S. 18B-904(e)(2). Other factors the Commission shall consider in determining whether the applicant and the business location are suitable are all of the following:

- (1) The reputation, character, and criminal record of the applicant.
- (2) through (5) Repealed by Session Laws 2019-49, s. 3, effective June 26, 2019.
- (6) Zoning laws, the number of places already holding ABC permits within the neighborhood, parking facilities and traffic conditions in the neighborhood, types of businesses already in the neighborhood, and whether the establishment is located within 50 feet of a church, public school, or any nonpublic school as defined in Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.
- (7) The recommendations of the local governing body.
- (8) Any other evidence that would tend to show whether the applicant would comply with the ABC laws.
- (9) Whether the operation of the applicant's business at that location would be detrimental to the neighborhood, including evidence admissible under G.S. 150B-29(a) of any of the following:
 - a. Past revocations, suspensions, and violations of ABC laws by prior permittees related to or associated with the applicant, or a business with which the applicant is associated, within the immediate preceding 12-month period at this location.
 - b. Evidence of illegal drug activity on or about the licensed premises.
 - c. Evidence of fighting, disorderly conduct, and other dangerous activities on or about the licensed premises.

(d) Commission's Authority. – The Commission shall have the sole power, in its discretion, to determine the suitability and qualifications of an applicant for a permit. The Commission shall also have the authority to determine the suitability of the location to which the permit may be issued. (1945, c. 903, s. 1; 1947, c. 1098, ss. 2, 3; 1949, c. 974, s. 1; 1957, cc. 1048, 1448; 1963, c. 426, ss. 10, 12; c. 460, s. 1; 1971, c. 872, s. 1; 1973, c. 476, s. 128; 1975, c. G.S. 18B-901

586, s. 1; c. 654, ss. 1, 2; c. 722, s. 1; 1977, c. 70, s. 19; c. 182, s. 1; c. 669, ss. 1, 2; c. 676, ss. 1, 2; c. 911; 1979, c. 348, ss. 2, 3; c. 683, ss. 5, 6, 11, 12; 1981, c. 412, s. 2; 1993 (Reg. Sess., 1994), c. 749, ss. 1, 2; 2005-392, ss. 2, 3; 2019-49, s. 3; 2019-182, s. 5(b).)

AUTHORITY FOR RELEASE OF INFORMATION

Home/Business Telephone Number _____

I authorize the North Carolina Department of Justice through the STATE BUREAU OF INVESTIGATION, Special Operations Division, to perform a fingerprint search of the State's criminal history record file and a fingerprint search of the FEDERAL BUREAU OF INVESTIGATION'S files for a national criminal history record check in connection with my application for license with the ABC COMMISSION/ALCOHOL LAW ENFORCEMENT DIVISION pursuant to NCGS 18b-902 (HB 1638).

(Type or Print clearly)

Last Name	First	Middle	Maiden
_____	_____	_____	_____

Social Security Number (Optional*)	Date of Birth	Sex	Race
_____	_____	_____	_____

I understand that the North Carolina State Bureau of Investigation, Special Operations Division, and its officials and employees shall not be held legally accountable in any way for providing this information to the Alcohol Law Enforcement Division and the ABC Commission, and I hereby release said agency and persons from any and all liability which may be incurred as a result of furnishing such information. I further understand that the Alcohol Law Enforcement Division and ABC Commission cannot provide a **hard copy** of the results of this criminal history record check to me.

*Disclosure of social security number is entirely voluntary and not required. If disclosed, the social security number will be utilized to assist with accurate identification/exclusion of possible criminal history records.

Applicant's/Employee's Signature

Date

This form must be maintained on file with the above named agency for one year. Do not mail this form or a copy of this form to the State Bureau of Investigation.

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

4307 Mail Service Center
Raleigh, NC 27699-4307
(919) 779-0700 FAX: (919) 662-3583

**RECYCLING COMPLIANCE FORM
(Private Hauler or Government Pick Up)**

North Carolina General Statute 18B-902 requires applicants for on-premises malt beverage permits, on-premises unfortified wine permits, on-premises fortified wine permits or mixed beverages permits to prepare and submit with the application packet a plan for the collection and recycling of all recyclable beverage containers for all beverages sold for consumption on the licensed premises.

This form is to be completed by a business when a private hauler or a city/county (government) will pick up the required containers for recycling.

For information on recycling services available in your area, go to abc.nc.gov, click on "Mandatory container recycling effective Jan. 2008" and then "Click here for detailed guidelines". You may obtain an Exemption Request Form at abc.nc.gov or by calling 919-779-0700.

Name of Applicant: _____

Trade name of business: _____

Address of business: _____

City/State/Zip: _____ County _____

Recycling service provider: _____

Contact person: _____ Title: _____

Address: _____

Phone Number: _____ Fax Number: _____

Email: _____

Materials collected: _____

ATTACH A COPY OF YOUR CONTRACT FOR RECYCLING SERVICE

I certify that the information herewith provided is true and accurate to the best of my knowledge and realize that the reporting of false information can result in a violation of NCGS 18B-902(c)

Signature: _____ Date: _____

Print name: _____ Title: _____

NORTH CAROLINA ALCOHOLIC BEVERAGE CONTROL COMMISSION

4307 Mail Service Center

Raleigh, NC 27699-4307

(919) 779-0700 FAX: (919) 662-3583

RECYCLING COMPLIANCE FORM

(Self Hauling)

North Carolina General Statute 18B-902 requires applicants for on-premises malt beverage permits, on-premises unfortified wine permits, on-premises fortified wine permits or mixed beverages permits to prepare and submit with the application packet a plan for the collection and recycling of all recyclable beverage containers for all beverages sold for consumption on the licensed premises.

This form is to be completed by a business that plans to separate recyclable beverage containers as required by NCGS 18B-1006.1 and the business itself transport those containers to a facility for recycling. (Do not use this form if recycle pickup will be by the city, county or other service provider.)

For information on recycling services available in your area, go to abc.nc.gov, click on "Mandatory container recycling effective Jan. 2008" and then "Click here for detailed guidelines". You may obtain an Exemption Request Form at abc.nc.gov or by calling 919-779-0700.

Name of Applicant: _____

Trade name of business: _____

Address of business: _____

City/State/Zip: _____ County: _____

Contact person: _____

Phone Number: _____ Fax Number: _____

Permit number: _____

Facility where recyclable materials will be taken : _____

Address of facility: _____

City/State/Zip: _____ County: _____

I certify under oath or affirmation that the information herewith provided is true and accurate to the best of my knowledge. That pursuant to NCGS 18B-1006.1, recyclable beverage containers will be separated and collected at the business named on this form and that those containers will be taken to a facility that recycles the material.

Signature: _____ Date: _____

Print name: _____ Title: _____

Sworn to and subscribed before me this the _____

_____ Day Month Year

My commission expires _____

Notary or other person qualified to administer oaths
Note: Must be stamped or sealed by notary

NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH NC 27699-4307
(919) 779-0700 FAX: (919) 662-3583

**PROOF OF ALCOHOL
SELLER/SERVER TRAINING**

IMPORTANT: The Applicant will complete SECTION A, below. *SECTION B, below is to be completed by the training provider.* **NOTE: If you provide other proof of training (i.e., certificate of training, transcript or other documentation), attach it to this form.** Failure to provide Proof of Alcohol Seller/Server training will prevent you from obtaining a TEMPORARY ABC permit.

SECTION A - APPLICANT TO COMPLETE

Name of Applicant _____

Trade Name of Business _____

Address of Business _____

City _____ **County** _____ **State** _____

Phone Number (____) _____

SECTION B – TRAINING PROVIDER TO COMPLETE

I certify that the above named applicant has completed an Alcohol Seller/Server training class. Basic information covered in the class included: acceptable forms of identification in North Carolina, preventing underage sales, signs of intoxicated patrons, preventing sales to intoxicated patrons, dram shop liability and hours of sale.

Name of Instructor (print) _____

Company/Agency of Course Provider _____

Address of Business _____

City _____ **County** _____ **State** _____

Phone Number (____) _____

Signature _____ **Date of Training:** _____



CREDIT CARD AUTHORIZATION FORM

CARDHOLDER INFORMATION

Credit Card Type: Visa MasterCard Discover Amex

Name on Card: _____

Card Number: _____

Exp. Month: _____ Exp. Year: _____

CVC: _____

By signing this document, I authorize The North Carolina Alcoholic Beverage Control Commission to charge my credit card for the specified amount.

Name: _____

Amount charged (\$): _____

Signature: _____

Date: _____