

ABC COMMERCIAL 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 Commercial 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**
 - 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

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- **DIAGRAM**
 - Include a detailed diagram of the premises (standard size, not over-sized and it may be hand drawn)
- **INSPECTION/ZONING COMPLIANCE FORM (cannot be accepted if inspections are over 180 days)**
 - All sections completed and signed by appropriate officials
- **BREWER'S NOTICE OR FEDERAL BASIC PERMIT**
 - If applying as a brewery, submit a copy of the approved Brewer's Notice
 - If applying as a winery, submit a copy of the approved Federal Basic Permit
 - Must contain same location address where brewery/winery is located
- **PHOTOS**
 - Front exterior of the premises
 - Interior of the premises
- **WINE SHIPPER BRAND LISTING FORM (located under Commercial Forms)**
 - Only needed if winery is applying for a Wine Shipper Permit
- **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 FREE**
 - 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 ARE LISTED UNDER 1 AND 3 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 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



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: _____

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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.*

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.



CREDIT CARD AUTHORIZATION FORM

CARDHOLDER INFORMATION

Credit Card Type: Visa MasterCard Discover

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: _____