
INSTRUCTIONS FOR ON-PREMISES RETAIL APPLICATION

**Mail the application to:
New York State Liquor Authority
P.O. Box 782772
Philadelphia, PA 19178-2772**

**Applications may not be handwritten.
Applications are provided through New York Business Express (“NYBE”) as fillable forms.
Print a completed copy of the application for submission to the Authority.
Save a completed copy of the application to retain for your records.**

These instructions will assist you in filling out a complete application, resulting in quicker review and determination. Incomplete applications may be disapproved. You must present a clear explanation of what you intend to do and how you will accomplish this. Drawing your diagrams and reviewing your photographs will assist you in filling out a complete application. Please ensure you answer every question and submit all documentation required to support your application.

STATUTORY DISQUALIFICATIONS

The following are Statutory Disqualifications to holding an alcoholic beverage retail license under the ABC Law:

1. Persons who are under the age of 21;
2. Persons who are not a U.S. citizen or alien admitted to the U.S. for permanent lawful residence (see SLA Advisory 2015-21);
3. Persons who have been convicted of any felony, or promoting or permitting prostitution, or of sale of liquor without an alcoholic beverage license;
4. Persons who are police officers/police officials;
5. Persons whose alcoholic beverage license was revoked; or
6. Persons who hold a wholesale, importer or manufacturing license.

If any of the foregoing apply to you, please contact the Licensing Bureau regarding your eligibility at licensing.information@sla.ny.gov prior to filing an application.

STANDARDIZED NOTICE FORM PROVIDING A 30-DAY NOTICE TO A LOCAL MUNICIPALITY OR COMMUNITY BOARD

- All on-premises applicants (whether applying for beer & cider; wine, beer & cider; or liquor, wine, beer & cider) are required to notify the Municipality or Community Board **no more than 270 days prior to filing the application** with the New York State Liquor Authority (ABC Law §110-b).

- You must submit a copy of the completed and signed Standardized Notice Form with your application along with proof of mailing or hand delivery. This form is included in the on-premises application.

LICENSE APPLICATION

LINE 1

NAME OF APPLICANT

- Enter sole proprietor’s full name.
- If a partnership, enter full name of each partner.
- If a corporation, enter the corporate name.
- If a Limited Liability Company (LLC) or Limited Partnership (LP), enter the company name.

TRADE NAME

- Enter your DBA – “Doing Business As” name. You must enter a trade name if you are to be known by any name other than what is listed in “applicant name.” This is the name that your business is known by, i.e. the name that appears on your building.
- This must match the DBA listed on your Assumed Name Filing Receipt or Business Certificate.

PREMISES STREET ADDRESS

- Enter the full address and county of the premises you are seeking to license (911 street address where applicable).

TELEPHONE NUMBER OF PREMISES

- Enter telephone number of premises or a telephone number where we can contact **you, the applicant**. Do not enter your attorney or representative's telephone number on this line.

MAILING ADDRESS

- If the premises address cannot receive mail or if you prefer to have the mail delivered elsewhere, list the address where you wish to have all correspondence regarding the alcoholic beverage license mailed, such as Renewal Advisories or Certificates.

E-MAIL ADDRESS

- **REQUIRED**: Enter the e-mail address of the premises or an e-mail address where we can contact **you, the applicant**. Do not enter your attorney or representative's e-mail address on this line.
- All correspondence regarding this application will be sent via e-mail.
- Enter business website address.

LINE 2**ATTORNEY/REPRESENTATIVE CONTACT NAME**

- Enter the name, address, telephone number and e-mail address of the attorney, representative or contact person for the completion, filing and handling of this application.

Notices of incomplete applications will be e-mailed to the applicant and to the attorney or representative, if applicable. As the applicant, you are responsible for the information provided in the application.

LINE 3**FOR SEASONAL LICENSE ONLY**

- Provide the months the license will begin and end, in that order. Seasonal licenses start on the first day of the month selected and end of the last day of the month selected (you may not list partial months).

LINE 4**NUMBER OF ADDITIONAL BARS**

- Enter the number of additional stand-up bars (bars for customers), if any. A stand-up bar is any bar (whether there is seating or not) where customers may order, purchase, or receive

alcoholic beverages. Each bar requires its own license.

- A **service bar** is for wait staff use exclusively, and requires no additional fee.

LINE 5**ENTER THE MONTHS OF OPERATION FOR SEASONAL ADDITIONAL BARS**

- If you intend to have additional bars that will be open on a seasonal basis, enter the season these bars will operate.
- Seasonal additional bars are fixed for summer months from April 1st to October 31st and for winter months from October 1st to April 30th.

LINE 6**FEDERAL TAX ID #**

- If applying as a sole proprietor, enter your Social Security Number. All others list the Federal Employer Identification Number. This is obtained from the Internal Revenue Service and cannot be pending upon application submission.

LINE 7**SOLE PROPRIETOR OR PARTNERSHIP**

- Enter the name, residence address, social security number and date of birth of the applicant(s).
- List all partners and provide proof of citizenship or alien status, personal questionnaires, copy of photo identification, an original color photo (passport size) and fingerprints on all.
- See Advisory 2022-13 for assistance.

LINE 8**CORPORATIONS, LIMITED LIABILITY COMPANIES (LLC) OR LIMITED LIABILITY PARTNERSHIP (LLP)**

- Enter the name, residential address, social security number and date of birth of the following:
 - any individual who owns 10% or more of the applicant corporation and;
 - any individual who holds the following titles (or their equivalent): president; treasurer; secretary; and chief executive officer
- Any individual listed must also submit a personal questionnaire, proof of citizenship or alien status, copy of photo identification, original color photo and fingerprints.

- For Publicly Traded Corporations, provide copy of annual report listing all officers, directors and financial statement.
- You may be required to provide an organizational chart should any corporations or LLCs hold an interest in the applicant entity.
- See Advisory 2022-13 for assistance.

RIGHT TO PREMISES

- Check the appropriate box disclosing how you are in possession of the premises (own, lease, etc).
- If you own the premises you must supply a copy of the deed. If you have purchased the real property within the past year, you are required to provide documentation showing the source of the funds used for the purchase.
- If you are leasing the premises you must submit a signed copy of the lease or a letter of intent. The letter of intent must list the intended term and rent amount. The lease must run for the full term of the license or be renewable for at least the full term.
- Answer all questions here regarding the lease arrangements. NOTE: The lease must state the exact location of the premises in the building.

OTHER INTERESTED PARTIES

- List any person or entity that will share in a percentage of profits or losses of the business.

LANDLORD IDENTIFICATION INFORMATION

- All applicants must have the owner of the property (landlord) complete this Section. (If you own the property, you must complete this section as landlord). All individuals or principals of the landlord corporation must be listed on this form.
- The landlord name must match the name listed on the deed to the premises and all lease agreements.
- If you own the property under a name other than the name you are applying for a license under, you are required to submit a lease between both entities.

FINANCIAL DISCLOSURE

- List the amount of money spent (or intended to be spent) for each item on this page.
- If the real property has been purchased by the principals of the LLC or Corporation under a different entity name, a separate Financial Disclosure form should be completed by that entity.

- Identify ALL sources of funds. This includes cash and borrowed funds: savings, checking, stock, business accounts, property, gifts or loans, etc.
- Provide bank statement(s) and other relevant financial documentation that show you have sufficient funds for this venture. If any finances have already been expended, provide statements to reflect you had the funds at that time.
- For personal bank accounts, provide an explanation for any deposits over \$10,000.
- Personal questionnaires are required for all lenders (excluding banking institutions) and donors contributing 10% or more of the funds being invested. The applicant must document the source of all funds invested in the proposed business.
- Loan agreements are required (even if the loan is between family members) for every loan showing the terms and default clauses.
- Donors and Lenders (other than banking institutions) must provide financial records that demonstrate the source(s) of funds provided.
- Submit any and all additional records, documents and/or affidavits that may assist you in explaining the financing, background and operation of your business. Attach additional sheets and explanations, if necessary. More information may be required if deemed necessary to process the application.

500 FOOT LAW

- This section **MUST** be completed by all applicants for an On-Premises Liquor License.
- If you checked the box that your proposed premises is within a 500 foot radius of three or more existing liquor licensed establishments, **YOU MUST ATTACH AN EXPLANATION, in detail, WHY GRANTING THIS LICENSE WOULD BE IN THE PUBLIC INTEREST, NOT HOW IT WOULD BE IN THE APPLICANT'S INTEREST.**
- You must also include the names and addresses of the businesses with on-premises liquor licenses within 500 feet of the proposed premises.

STATEMENT OF AREA PLAN

- Please note, whether or not the proposed premises is located within 200 feet of a school, church or place of worship, you **MUST** also identify the name and distance of the **CLOSEST** school, church or place of worship if it is within 300 feet of the proposed premises.
- If you **ARE** within 200 feet of a school, church or place of worship, you must answer the question “YES” whether or not you believe it is being used exclusively as a school, church or place of worship. The Authority will make this determination.
- The measurement is taken in a straight line from the center of the nearest entrance to the school, church or place of worship to the center of the nearest entrance of the premises to be licensed. If the school, church or place of worship is set back from a public thoroughfare, the walkway or stairs leading to any such door shall be deemed an entrance and the measurement must be taken from the center of the walkway or stairs where it meets the building line or public thoroughfare. Entrances are considered any door used to give ingress to students of the school, the general public attending the place of worship and to patrons or guests of the proposed premises. Doors with no exterior hardware are not considered an entrance.

ESTABLISHMENT QUESTIONNAIRE

HELPFUL HINT: You may find it easier to prepare your diagram of the premises prior to completing this section. Seeing the layout of the premises may help you in answering the questions. Sample diagrams are provided at the end of the application.

- Answer ALL questions completely. Please do not answer “see attached” to any question. You must describe the premises to be licensed. Any incomplete answer **will delay** or prevent the processing of the application.
- If the premises is known by more than one name or located on a street with more than one name (e.g. Route 5 and Central Avenue) indicate this in the space provided. If the post office address differs from the 911 address, include that info in this space as well.
- Check the appropriate box if there is an active alcoholic beverage license or if there ever has been a license to traffic in alcoholic beverages at the proposed location in which the applicant is seeking a license. State the name of the current or former licensee, license ID number and the location’s prior use.

- You may contact the State Liquor Authority before you file an application to determine if there are any disciplinary actions pending that may delay or prevent the issuance of a license at the proposed premises. Please be aware that we may not disclose a pending investigation at a location.
- Indicate the number of floors to be licensed and answer all questions pertaining to the interior of the premises, access between floors, and number of persons legally allowed in the licensed premises.
- If there is interior access from the floor(s) you are licensing to any other floor(s) of the building (whether or not you are licensing those floors), you **MUST** describe the means of access (e.g. stairs, elevator, etc.) and state what occupies the other floor(s) (e.g. apartments, offices, etc.) If you are using the basement or another floor of the building to store alcohol, that area must be included as part of the licensed premises.
- Provide the number and a description of all stand-up bars (bars for customers) or service bars (see the instructions under “Line 4” of these instructions for definitions).
- Advise whether there is a kitchen or a food preparation area. **You must submit a menu with your application.**
- Indicate if an outdoor area is to be used for the sale or consumption of alcohol and submit any appropriate permit(s), if required. This includes patios, roofs, yards, decks, etc. Show how the area will be contained and submit a statement detailing how the area will be supervised.

METHOD OF OPERATION

NYBE Application Wizard Cover Page provides the type of application you are submitting. Please be sure to include a copy of the Cover Page with your application.

- The information provided in this section will be the method of operation you are approved for and will be binding. **Should you wish to deviate from this method of operation in any way, you must first apply for and receive permission from the Authority.**
- If you intend to operate as a restaurant, you are required to be open regularly to serve meals to guests, have suitable kitchen facilities in the licensed premises, and employ a chef/cook and necessary help at all times. Meals must be the usual assortment of foods commonly ordered at various hours of the day. The service of only sandwiches and salads does not meet the food requirements needed

to operate as a restaurant. Alcoholic beverages are to be incidental to the service of food.

- **PLEASE NOTE THAT FOOD MUST BE AVAILABLE FOR SALE DURING ALL HOURS OF OPERATION.** This does not include allowing patrons to order from other restaurants and having the food delivered to your premises. The food must be available at your place of business.
- If you employ security personnel, contact the NYS Department of State to verify whether they are required to be registered in accordance with NYS Security Guard Registration.

UNLESS YOUR BUSINESS IS A CATERING ESTABLISHMENT, HOTEL, RESTAURANT, CLUB OR RECREATIONAL FACILITY YOU MAY NOT EMPLOY ANYONE CONVICTED OF A FELONY UNLESS YOU HAVE THE PERMISSION OF THE AUTHORITY OR THE PERSON HAS RECEIVED A CERTIFICATE OF RELIEF FROM CIVIL DISABILITIES.

PERSONAL QUESTIONNAIRE

This form must be completed in full by the following persons:

- All sole proprietors.
- Each partner in a partnership.
- For Corporations or Limited Liability Companies (LLC), see instructions for Line 8 of the application.
- Individual lenders and donors (state your relationship to the applicant).
- Co-signers of loans.
- Trustees.
- Spouses who assist in management of premises or who hold joint bank accounts with applicant.
- Anyone holding a joint account with an individual who will be providing funds for this venture, whether the applicant, a lender or donor.

NOTE: Additional information may be requested on any individual submitting a personal questionnaire if necessary to complete the review of the application. Each questionnaire must be signed and dated.

NOTE REGARDING MANAGERS:

Managers may be required to submit a Personal Questionnaire upon the request of the Authority if the statement of supervision is deemed insufficient.

NOTICE OF PUBLICATION

- The first notice of publication must be published within 10 days of the filing of this application. The original publication notice must be submitted to the Authority within 15 days of receipt.

LIQUIDATOR'S PERMIT

- This section must be completed and filed by the LICENSEE who is selling or liquidating their business and will be disposing of their stock of alcoholic beverages in connection with this sale. A list of the inventory being liquidated signed by both the buyer and the seller must be submitted prior to the issuance of this permit.

NOTICE OF APPEARANCE

- Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection a record of who appears before it for a fee as a third party (i.e. an attorney, an agent, a lobbyist or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency.
- This form must be completed and submitted by **all** represented applicants.
- If you were assisted in the preparation and/or filing of the application, you must have the person you paid complete and submit the Notice of Appearance with the application.

APPLICANT'S STATEMENT

- Please read this section carefully. This section is an affirmation that you understand that you are bound by the answers and information you provide in the application.
- Applicant signatures required for: sole proprietors, each partner in a partnership and at least one authorized official of a corporation.

ELECTRONIC FINGERPRINTING

All applicants are required to be fingerprinted unless they currently hold a liquor license.

PERSONS REQUIRED TO BE FINGERPRINTED:

- All sole proprietors.
- All partners in a Partnership and Limited Liability Partnership (LLP).
- For Corporations and Limited Liability Companies (LLC) see instructions for Line 8.
- Each applicant principal that is required to be fingerprinted will be instructed to do so on the Application Receipt once the application is received by the Authority.

- Each applicant principal required to be fingerprinted must follow the fingerprinting instructions which are available on the Application Receipt or on our website, <http://www.sla.ny.gov/forms-quick-find> .

THE FOLLOWING DOCUMENTS MUST BE SUBMITTED WITH THE APPLICATION:

PENAL BOND (FORM L-9)

- If required, submit a penal bond issued by any qualified surety company authorized to execute such bonds in the State of New York, in the amount of the sum listed on the NYBE Application Wizard Cover Page.
- Important: the bond must have the premises name and address typed **exactly** as it appears on the application.
- Altered or handwritten bonds are not acceptable (e.g.: whiteouts, type-overs).
- The expiration date on the bond **must indicate only the year of expiration of the license.**
- **The applicant must sign the bond.**

CONTRACTS

- Submit a copy of the contract of sale or purchase of business/stock, etc. The name of the person/entity listed as purchaser on the contract of sale must be the name of the applicant as it appears on the Application for Alcoholic Beverage Control Retail License.

A CONTRACT OF SALE MUST BE SUBMITTED IF PURCHASING AN EXISTING BUSINESS.

PHOTOGRAPHS

- Must be at least 5" x 7"
- Interior Photographs – show the interior of premises. Bars must be clearly shown together with a full view of the room or rooms – this includes kitchens and food preparation areas.
- Exterior Photographs – Show the front of premises, all doors leading to the interior, outside signs and/or advertisements, and photos of any outside areas you wish to license (patio, deck etc) and how it is contained.
- **Photos are required at the time your application is filed.** Additional photos may be required if renovations or construction is not completed at the time of filing.
- All hard copy photographs submitted **MUST BE ENDORSED** on the reverse side with the name and address of the applicant and the date when the photographs were taken.

DIAGRAMS

All diagrams must be submitted on 8 ½" x 11" paper AND MUST BE CLEARLY MARKED.

See examples at the end of each application.

Interior Diagram:

- Provide a diagram or sketch of the interior with dimensions. Label all rooms, including but not limited to: storage rooms, offices, dining areas, kitchen/food preparation areas, restrooms, etc.
- Show the measurements and locations of the bar(s) and number of tables and chairs for patrons in each room.
- All bars should be labeled as either a stand-up bar or service bar.
- Show any outside dining/service areas (e.g. sidewalk café, deck, porch, roof, etc.) and show how these areas are contained.
- If the premises is in a multi-unit or multi-story building, the diagram must also state and show where it is located in the building. Give details as to how this area will be contained and supervised.
- Each and every floor should have its own diagram (including any floor used for the storage of alcoholic beverages or office space where books and records are maintained). Label each floor (basement, ground floor, second floor, etc.)
- Show all interior and exterior walls, entrances and exits, restrooms, display windows or other openings, counters, closets, shelves and storage areas.

Block Plot Diagram

(An aerial view of the building, with nearby businesses/residences and streets labeled)

- A Block Plot Diagram showing all other buildings, lots, etc. must be submitted. Make sure that you label each building (e.g. Nail Salon, Church, residence)

IMPORTANT: All submissions, including photographs and diagrams, must have the name and address of the applicant's premises.

CORPORATE FILING RECEIPT OR ASSUMED NAME FILING RECEIPT

- If applying as a Corporation, LLC or LP you must submit the Corporate Filing Receipt issued by the NYS Department of State showing proof of incorporation.
- If you have a trade name (DBA) you must submit an Assumed Name Filing Receipt issued by the NYS Department of State.
- Sole proprietors and partnerships must provide a copy of their Business Certificate from the county clerk's office including the trade name they will be doing business under.

PHOTO IDENTIFICATION

- All principals must submit a copy of a current photo ID. This can be in the form of a driver's license or a passport.

NOTICE TO BE POSTED AT PROPOSED PREMISES - FOR LIQUOR ONLY

- Section 100(8) of the Alcoholic Beverage Control Law requires that Notice be posted in a conspicuous place at the entrance of the premises within 10 days of filing your application. This Notice Form can be found on our website under "Notice to be Posted at Proposed Premises."
<http://www.sla.ny.gov/forms-quick-find>

FOR-PROFIT CLUBS

- For-Profit Clubs must have one hundred or more members to qualify, with food and beverages regularly available to employees, clients and guests. The list of 100 or more bona fide dues paying members in good standing, to include member names and addresses, must be provided as a condition of approval.