

# Petition for Removal

## Liquor or Wine Store

This petition is to be used by a licensee for permission to remove the licensed premises to a new location.

This petition can only be used by a licensee that is currently licensed. If a license is set to expire while this application is being processed, the license for the present location must be renewed even if the license is in Safekeeping.

The Petition must be completed and accompanied by the appropriate documentation as listed in the Instructions portion below as well as a check or money order for the required fee, payable to the New York State Liquor Authority.

The fees are as follows: \$192 when the annual license fee is \$500 or more; \$32 in all other instances.

(The law does not provide for any refund of removal fees prescribed under Section 99-d.)

### INSTRUCTIONS:

**All Removal applications must be accompanied by the following documentation:**

- 1) Lease, Deed or Contract of Sale of the property.
- 2) Any contracts for the purchase of the real property.
- 3) Exterior and Interior Diagrams of the proposed premises (must be submitted on 8 ½" x 11" paper). Clearly label all rooms and use of doors. *If serving/selling Liquor a block plot diagram is also required.*
- 4) Exterior and Interior photographs of the proposed premises.
- 5) Bond Rider reflecting the proposed address.
- 6) Financial documentation showing the availability of the funds listed on the List of Expenses.
- 7) The following sections of the applicable application as attached:
  - a. Right to Premise
  - b. Landlord Identification
  - c. Financial Disclosure
  - d. Establishment Questionnaire
  - e. Method of Operation
  - f. Applicant's Statement
  - g. Notice of Appearance, if applicable.
  - h. Statement of Area Plan
  - i. Liquor/Wine Store Questionnaire
- 8) List the square footage of the current and proposed premises on the Petition for Removal application page  
NOTE: Liquor and Wine Stores may have only one public entrance unless a second entrance leads to a parking lot with at least 5 parking spaces available; cannot be within 200 feet of a school, church or place of worship.

**Mail completed application to:**  
New York State Liquor Authority  
PO Box 782772  
Philadelphia, PA 19178-2772



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### APPLICATION

Full name of licensee:

Current License ID #:

**PRESENT** premises address:

City:

County:

Zip code:

Telephone number:

License Type:

Class:

Current expiration date:

**PROPOSED** premises address:

City:

County:

Zip code:

Telephone number:

Mailing address, if different:

1) Square footage of the proposed premises:

1a) Square footage of current premises

2) List the distance between your present location and your proposed location:

3) If part of a multi unit building, what specific location in the building is the applicant's business to be conducted? (If office building, plaza or mall give room, suite or building number.):

4.) Reason for requesting permission for Removal:

#### [OFFICE USE ONLY]

DATE FILED:

Application ID #:

Approved

Disapproved

License Board Member

Date



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

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## RIGHT TO PREMISES

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### 1. RIGHT TO PREMISES

1a. By what right does the applicant have possession of the premises?

- Own     
  Lease     
  Sub-Lease     
  Binding contract to acquire real property     
  Written intent to lease  
 Other (explain):

**If leasing, the lease must run for the full term of the license period or at least be renewable to cover the full term. Month to month leases or month to month renewal terms are not acceptable. The tenant name on the lease must match the applicant name exactly.**

1b. Do the terms of the lease or other arrangement require the applicant to provide any consideration based on a percentage of the receipts of the business?      Yes      No

If YES, please list the section/page of the lease this information can be found:

### 2. OTHER INTERESTED PARTIES

Does or will anyone other than the applicant/principals share on a percentage basis or in any way in the receipts, losses or deficiencies of the business to any extent whatsoever?

Yes      No

If YES, please state the names and addresses of such persons, the nature and percent of their share and date acquired.

Name	Address	Nature of interest	Date Acquired

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

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## LANDLORD IDENTIFICATION INFORMATION

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In order to obtain the most accurate information this form should be completed by the Landlord. This form must be completed and submitted regardless of whether the property owner is a third party landlord or the applicant.

1. Name of Landlord (*as it appears on lease and deed*):

2. Landlord Mailing Address

Street Address:

City:

State:

Zip Code:

3. Telephone Number of Landlord:

4. Landlord Principals (ALL landlord principals must be disclosed below)

Name Address (if different than Landlord's mailing address above)

Name Address (if different than Landlord's mailing address above)

Name Address (if different than Landlord's mailing address above)

Name Address (if different than Landlord's mailing address above)

5. Are any persons listed on this form police officers? Yes No

If yes, list names below:

Name

Name

Name

6. List number of years real property has been owned or legally controlled by the landlord:



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<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

## FINANCIAL DISCLOSURE

Applicants must demonstrate the costs and the sources of funding for this venture. All investors must be disclosed. Personal Questionnaires must be submitted for all investors, joint account holders, donors or lenders (excluding banking institutions).

**The Total Investment (Total Cash plus the Total Borrowed) must equal or exceed the Total Expenses.**

### 1. EXPENSES (Actual or Estimated)

**1a.** Real Property *(if purchased within the past year by the applicant or any of its principals):*

**1b.** Purchase/Contract Price of Business *(submit copy of contract):*

**1c.** Renovations/Improvement Costs *(e.g., furnishings, fixtures, etc.):*

**1d.** Miscellaneous *(any other expense related to this venture):*

#### TOTAL EXPENSES

Total of lines 1a through 1d

### 2. CASH\*

\*Cash includes funds on hand that do not need to be repaid. For example, checking or savings accounts or gifted funds. Attach copies of bank statements or other financial documentation for **EACH** source of cash.

2a. Source of Funds	Personal Questionnaire attached	Dollar Amount
2b. Source of Funds	Personal Questionnaire attached	Dollar Amount
2c. Source of Funds	Personal Questionnaire attached	Dollar Amount

#### TOTAL CASH

Total of All Cash Expended

### 3. BORROWED\*

\*Borrowed funds include funds that must be repaid. For example, loans, mortgages, lines of credit and promissory notes. Attach copies of agreements or other financial documentation for **EACH** source of borrowed monies.

3a. Source of Funds	Personal Questionnaire attached	Dollar Amount
3b. Source of Funds	Personal Questionnaire attached	Dollar Amount
3c. Source of Funds	Personal Questionnaire attached	Dollar Amount

#### TOTAL BORROWED

Total of All Borrowed Funds

### 4. Have all investors been disclosed in this application?

Yes      No

#### TOTAL INVESTMENT

Total Cash plus Total Borrowed

*The following person(s) MAY NOT invest in a retail license to traffic in alcoholic beverages: convicted felons, persons under the age of twenty-one (21), police officers and anyone with an interest in a wholesale or manufacturing license.*

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<input type="radio"/> Original	<input type="radio"/> Amended	Date

**STATEMENT OF AREA PLAN**  
**200 Foot Law**

**THIS QUESTION MUST BE ANSWERED BY ALL APPLICANTS REGARDLESS OF LICENSE TYPE**

<p>1. List the name, address and distance from the premises to ANY SCHOOL, CHURCH or PLACE OF WORSHIP WITHIN <b>300 FEET</b></p> <p>2. Is the premises within 200 feet of <b><u>ANY SCHOOL, CHURCH or PLACE OF WORSHIP?</u></b> (exclusive use as a church or place of worship will be determined by this agency) (please respond "YES" if ANY school, church or place of worship is within 200 feet)</p> <p style="text-align: center;">Yes                      No</p> <p>3. Submit a BLOCK PLOT DIAGRAM (aerial view of the building, with nearby businesses and residences labeled) showing the location of any school, church or place of worship (8-1/2" x 11")</p>
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**Indicate the distance in feet from the entrance of the proposed premises to the closest entrance of any school, church or place of worship.**

*Attach additional sheets if necessary.*

**ATTACH A STATEMENT INDICATING HOW THESE MEASUREMENTS WERE TAKEN**

<p>1. Name of church/school:</p> <p>Address:</p> <p>Distance:</p>
<p>2. Name of church/school:</p> <p>Address:</p> <p>Distance:</p>
<p>3. Name of church/school:</p> <p>Address:</p> <p>Distance:</p>

For assistance use the "GIS MAPS - LAMP" (Liquor Authority Mapping Project) system, which is available on our website.

**If applying for a full liquor license (beer, wine and liquor) and the premises is within 200 feet of a school, church or place of worship, the application may be denied.**

**If any discrepancy in the measurements is brought to the attention of the Authority during the examination of the application, it may be necessary for the applicant to supply a certified survey showing the actual measurement from the premises to the closest school, church or place of worship.**

OFFICE USE ONLY	
<input type="radio"/> Original	<input type="radio"/> Amended      Date _____

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## ESTABLISHMENT QUESTIONNAIRE

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In this section you must describe the premises to be licensed. Answer ALL questions completely. Please do not answer "see attached" to any question. Any incomplete answer may delay or prevent the processing of the application.

**Helpful Hint: Drawing your diagram and reviewing your photographs may assist you in completing this section.  
See sample diagrams at the end of this application.**

### 1. Zoning

1a. State what the area is zoned for:  
(e.g., Residential, Business, Mixed etc.)

### 2. Premises

2a. Describe the type of building in which the premises will be located.

2b. Is or has the building/proposed premises been known by any other address?                      Yes              No

If YES, please specify:

2c. Is there currently an active license or has there ever been a license to traffic in alcoholic beverages at this location?

Currently Licensed     
  Previously Licensed     
  Never Licensed     
  Do Not Know

Name of Licensee:

License ID Number:

2d. Are there any disciplinary action pending against the applicant, current licensee or prior licensee?

Yes             
  No             
  Do Not Know

***Any pending disciplinary action may delay a determination on this application or result in the disapproval.***

2e. If the proposed premises has never been licensed, what was the prior use?

2f. Is any other floor or area of the building currently licensed?                      Yes              No

Name of Licensee:

License ID Number:

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

**3. Premises (interior):**

3a. List the total number of floors of the business establishment to be licensed, including the basement:

3b. List the floor(s) where the proposed premises will be located:  
(e.g., basement, ground floor, 2nd & 3rd floor, etc.)

3c. Where is the alcohol stored?

3d. Is there interior access to any other floor(s) or area(s) that will not be part of the premises to be licensed?  
If yes, show the means of access on the interior diagram(s).

Yes          No

3e. Are the premises to be licensed divided in any way, by a public or private passageway, over which the applicant does not have exclusive possession and control?  
(e.g., hallway, stairwells, common areas, etc.)

Yes          No

If YES, describe:

3f. What is the total square footage of the proposed premises?

3f(b). Of the total square feet, how much  
is devoted to retail space?

3g. Will the proposed business have a "bullet-proof configuration," where the inventory and personnel are located behind protective glass or other barrier?

Yes          No

**Mark the interior diagram to reflect how each door of the premises is to be used  
(e.g., public entrance, emergency exit only, deliveries, etc.)**

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<input type="radio"/> Original	<input type="radio"/> Amended	Date

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## PROPOSED METHOD OF OPERATION

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The information 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.

1. Will any other business of any kind be conducted in said premises?      Yes      No  
*(If YES, provide details on a separate sheet)*

2. Will the business employ a manager?      Yes      No

2a. If NO, will principal(s) manage?      Yes      No

3. How many employees? (excluding principals)

3a. If answer is "0" please  
 provide explanation.

4. Will applicant engage in Internet sale of alcoholic beverages?      Yes      No

4a. If YES, provide a detailed description of the proposed Internet model. Attach additional sheets if necessary:

**ALCOHOLIC BEVERAGES MAY ONLY BE SOLD DURING THE HOURS APPROVED BY THE COUNTY WHERE THE PREMISES IS  
 LOCATED UNLESS FURTHER RESTRICTED BY THE AUTHORITY**

A list of county closing hours is available at the following link:  
<http://sla.ny.gov/provisions-for-county-closing-hours>

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date

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## LIQUOR/WINE STORE QUESTIONNAIRE

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***Package/Wine Store applicants for premises NOT currently licensed must complete this section.***

**1. List the four closest package and/or wine stores and distance from the proposed premises location (in miles or feet).**

A. Name of Licensee:

License ID Number:

Address:

Distance:

B. Name of Licensee:

License ID Number:

Address:

Distance:

C. Name of Licensee:

License ID Number:

Address:

Distance:

D. Name of Licensee:

License ID Number:

Address:

Distance:

**Submit an Area Map using a single 8-1/2" x 11" sheet of paper which shows the proximity of the stores listed above to the applied for premises and to each other. You may use Internet map applications as long as the area map is clearly labeled and the distances between stores are clearly indicated (measurements should be by walking/driving directions, not a straight line.)**




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## APPLICANT STATEMENT

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I, [print name]  
 (the sole proprietor, partner, corporate principal or, LLC/LLP member)  
 understand that the State Liquor Authority will rely on each and every answer in the application and accompanying documents in reaching its determination and state, under penalty of perjury, that all statements and representations therein are true to the best of my knowledge and belief; and

I state that the location and description of the premises to be licensed does not violate any requirement of the ABC law or other state or local ordinances; and

I understand that if any change occurs in the information provided to the Authority in the application, the licensee must notify the Authority by certified mail within 48 hours and if any change occurs after receipt of the license, the licensee must notify the Authority by certified mail within 10 days. I understand that failure to give such notice may result in disapproval of the application or revocation or non-renewal of any license for which this application is submitted; and

I understand that the licensee will be bound by the statements and representations made in the application, including, but not limited to the licensee's method of operation and the identity of persons with an ownership or financial interest in the licensed premises; and that all statements and representations made become conditions of the license; and

I understand that any physical alterations to, or changes to the size of the area used for the sale and consumption of alcoholic beverages, must be reported to the Authority and may require the approval of the Authority; and

I understand that the licensee must keep the Authority advised of any change in the mailing addresses of the licensee, the licensee's principals, and the licensee's landlord.

I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the application may result in revocation of any license for which the application was submitted; and

I understand that any false statement or misrepresentation will constitute cause for disapproval of the application or revocation or non-renewal of any license for which this application is submitted.

*By checking this box I agree, and it is my intent, to electronically sign this document. By submitting this e-document to the New York State Liquor Authority in this way, I understand that my electronic signature I added to the signature line below is the legal equivalent of having placed my handwritten signature and affirmation on the submitted document and I am affirming the truth of the information contained therein.*

Signature

Date



## STATE OF NEW YORK

### 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, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter.

**Agency:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Division/Bureau:** \_\_\_\_\_

**1. Name of individual appearing:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Business Telephone:** \_\_\_\_\_

**2. Client represented:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Business Telephone:** \_\_\_\_\_

**3. Subject of appearance:** \_\_\_\_\_ **Regulatory/Enforcement** \_\_\_\_\_ **Lobbying**

\_\_\_\_\_  
\_\_\_\_\_

**4. Acting in capacity of:**

\_\_\_\_\_ **Attorney** \_\_\_\_\_ **Lobbyist**

\_\_\_\_\_ **Agent** \_\_\_\_\_ **Other (describe)** \_\_\_\_\_

**5. Are you being compensated?** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No** **If Yes:** \_\_\_\_\_ **Fee** \_\_\_\_\_ **Salary**

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**Agency official (print name):** \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

**The State Liquor Authority requires all representatives to provide a valid email address. Failure to provide an email address could result in delays in processing times, as emails are the SLA's primary means of communication with applicants and representatives.**

**Name of Representative:**

**Email Address of Representative:**