

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

Location: 400 EAST TRYON ROAD
RALEIGH NC 27610
(919) 779-0700
abc.nc.gov

MAIL TO ADDRESS ON BACK OF FORM

HOW TO APPLY FOR AN ABC COMMERCIAL PERMIT

I. INSTRUCTIONS

- A. Complete this application in its entirety. It must be signed and notarized.
- B. The correct fee(s) must accompany the application. Payment must be by a certified check, cashier's check or money order and made payable to the North Carolina ABC Commission.
- C. Include one (1) completed fingerprint card for each person participating in the business who is required to submit an application. A required fingerprint-processing fee of \$38.00 per person may be added with the permit fee in a single check.
- D. Include a copy of the lease or rental agreement, or a registered copy of the deed, specifying the applicant(s) as lessee/owner. This document must include the address or property description of the business. The lease/rental agreement must include the effective beginning date of the agreement.
- E. The following additional documents are required:
 - 1. A completed Inspection/Zoning Compliance Form (Form NC ABC-002).
 - 2. A detailed diagram of the premises to be covered by the ABC permit.
 - 3. Prior to the issuance of a permanent ABC permit, a copy of the Federal Basic Permit or Brewers Notice must be submitted.
 - 4. **Corporations** – Articles of Incorporation.
 - 5. **LLC's** – Articles of Organization. If manager managed, a copy of the operating agreement must be submitted. If LLC is managed by an outside entity, a management contract must be submitted.
 - 6. **Wine Grower Applicants** – Wine grower applicants must include a copy of the deed for the qualifying farm, stating the address of the farm and one of the following:
 - a. A survey indicating the areas and acreage used in the production of grapes (the more details the better); or
 - b. An affidavit stating that you are 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.
 - 7. **Liquor Importer/Bottler** – A liquor importer/bottler must include a separate sheet of paper describing the operations of the business. Please 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.
 - 8. **Air Carrier** – An air carrier must include a separate sheet of paper indicating the names and location address of the airport(s) where products will be stored and sold.
 - 9. **Wine Shipper** – Wine shippers must submit a completed "Wine Shipper Brand Listing".
- F. **Change in Ownership** – All permits for an establishment shall automatically expire and shall be surrendered to the Commission if:
 - 1. Ownership of the establishment changes; or
 - 2. A change in the membership of the firm, association or partnership owning the establishment, involving the acquisition of twenty-five percent (25%) or greater interest in the firm, association or partnership by someone who did not previously own twenty-five percent (25%) or greater interest; or
 - 3. Twenty-five percent (25%) or more of the stock of the corporate permittee owning the establishment is acquired by someone who did not previously own twenty-five percent (25%) or more of the stock.
- G. **Change in Location** – An ABC permit cannot be transferred from one location to another. Therefore, if you relocate your business, you must apply for ABC permits at the new location.
- H. **Changes Within Establishment** – (Other than changes in ownership.)

1. LLC Manager Change – Each new manager must complete an application and qualify for ABC permits. No fee is required.
2. Corporate Officer Change – Each new officer must complete an application and qualify for ABC permits. No fee is required.

I. **NOTE:** A separate permit must be obtained at each location where business will be conducted.

II. WHO MUST FILE

- A. **Individual Operation** – The individual owner of the business is required to file an application.
- B. **General Partnership Operation** – Each partner is required to file a separate application.
- C. **Limited Partnership** – The general partner(s) is required to file an application.
- D. **Corporation** – Each officer, manager and any stockholder owning 25% or more of the stock must file separate applications. (**NOTE:** Articles of Incorporation must be submitted.)
- E. **Limited Liability Company (LLC)** – If member managed, all members owning a 25% or greater interest must file; or, if no one owns a 25% interest, the managing members must file. If manager managed, the person or persons acting as manager on behalf of the LLC must file, in addition to any member who owns a 25% or greater interest in the company. (**NOTE:** Articles of Organization must be submitted.)
- F. If a 25% interest holder in an LLC or a corporate stockholder is another business entity (partnership, corporation, or LLC), a partner, an officer or member of that entity must complete the application on behalf of that business entity.
- G. **Corporations, LLC’s and Limited Partnerships** – Indicate name and address of registered agent and office.
- H. **Non-Residents (Individual or Partnership)** – Each non-resident individual or partner shall file as required above. In addition, a resident manager shall be appointed by the non-resident applicant as attorney-in-fact for the business. This manager shall also complete the required application. A certified copy of an executed power-of-attorney, which shall be registered with the Register of Deeds in the county where the proposed licensed premises is located, shall be submitted with the application.

III. FEES

All application fees must be submitted by a *certified check*, *cashier’s check*, or *money order*, and made *payable to the North Carolina ABC Commission*. All fees are deposited with the State Treasurer, and no provisions are made for refunds whether the application is approved, rejected or withdrawn.

TYPES OF PERMITS	FEE REQUIRED
1..... Unfortified Winery	\$300.00
2..... Fortified Winery	\$300.00
3..... Limited Winery	\$300.00
4..... Brewery	\$300.00
5..... Distillery.....	\$300.00
6..... Fuel Alcohol	\$100.00
7..... Wine Importer	\$300.00
8..... Wine Wholesaler	\$300.00
9..... Malt Beverages Importer	\$300.00
10..... Malt Beverages Wholesaler.....	\$300.00
11..... Bottler.....	\$300.00
12..... Winery Special Event.....	\$200.00
13..... Cider and Vinegar Manufacturer.....	\$200.00
14..... Wine Producer	\$300.00
15..... Liquor Importer/Bottler	\$500.00
16..... Air Carrier	No fee
17..... Wine Shipper.....	No fee
18..... Spirituous Liquor Warehouse.....	No fee
19..... Malt Beverage Special Event.....	\$200.00
20..... Spirituous Liquor Tasting.....	\$100.00
21..... Spirituous Liquor Special Event.....	\$200.00

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION
APPLICATION FOR AN ABC COMMERCIAL PERMIT**

Amount Fee Paid

Temporary # _____
Date Issued _____
Exp. Date _____
Date Rec'd: _____
Rec'd By: _____

Application # _____
Approved
Rejected
By _____
Date _____

Do Not Write Above This Line

County _____
in which business is located

Reason for Application: New Business Additional Location New Officer Additional Permit
 Ownership Change Address Change New Manager (LLC)

I hereby make application to the North Carolina Alcoholic Beverage Control Commission for the following permit(s):

Check Appropriate Block(s).

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Unfortified Winery | <input type="checkbox"/> Fuel Alcohol | <input type="checkbox"/> Bottler | <input type="checkbox"/> Liquor Importer/Bottler |
| <input type="checkbox"/> Fortified Winery | <input type="checkbox"/> Wine Importer | <input type="checkbox"/> Winery Special Event | <input type="checkbox"/> Air Carrier |
| <input type="checkbox"/> Limited Winery | <input type="checkbox"/> Wine Wholesaler | <input type="checkbox"/> Cider & Vinegar Manufacturer | <input type="checkbox"/> Wine Shipper (wineries only) |
| <input type="checkbox"/> Brewery | <input type="checkbox"/> Malt Beverages Importer | <input type="checkbox"/> Wine Producer | <input type="checkbox"/> Spirituous Liquor Warehouse |
| <input type="checkbox"/> Distillery | <input type="checkbox"/> Malt Beverages Wholesaler | <input type="checkbox"/> Malt Beverage Special Event | <input type="checkbox"/> Spirituous Liquor Tasting |
| | | | <input type="checkbox"/> Spirituous Liquor Special Event |

TYPE OF OWNERSHIP (Check One):

- Individual (complete sections A and B, below)
 Partnership (complete sections A and B, below)
 Limited Partnership (complete sections A, B, E and F, below)
 Limited Liability Company (complete sections A, B, D and F, below)
 Corporation (complete sections A, B, C and F, below)
 Nonresident Individual or Partnership (complete sections A, B, and G, below)

Section A

Trade Name of Business _____

Location Address of Business _____

Mailing Address of Business _____
Street/Route City State Zip Code

_____ Street/Route/PO Box City State Zip Code

Section B

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

Resident Address _____
Street/Route City State Zip Code

Date of Birth _____ Social Security # _____
(last four only)

Home Telephone # (____) _____ Business Telephone # (____) _____

Daytime Telephone # (____) _____ Fax # (____) _____ Email Address _____

Section C

If Incorporated, Corporate Name _____

If Incorporated, position in Corporation: President Vice President Secretary Treasurer
 Manager Stockholder - % of Stock _____
(25% or more)

If 25% or more stockholder is another business entity, name of entity: _____

Applicant's position in business entity: _____

Section D

If LLC, Company Name _____

Form of Management: Member-Managed Manager -Managed Site Manager

If 25% or more interest is another business entity, name of entity _____

Applicant's position in business entity: _____

Section E

If Limited Partnership, Limited Partnership Name _____

General Partner Name _____

If General Partner is a Corporation, position in Corporation:

- President
- Vice President
- Secretary
- Treasurer
- Manager
- Stockholder - % of Stock _____

(25% or more)

Section F

Corporations, Ltd. Partnerships, and LLC's

Registered Agent _____

Registered Agent Mailing Address _____

Street Address/PO Box City State Zip Code

Registered Agent Location Address _____

Street Address City State Zip Code

Section G

Nonresident Individual (Sole Proprietorship) or Partnership Attorney-In-Fact _____

Mailing Address _____

Street Address City State Zip Code

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 that I am not less than 19 years of age.
- I have not been convicted of a misdemeanor controlled substance offense nor an alcoholic beverage offense within the past two years.
- I have not been convicted of a felony within the past three years, and if convicted of a felony before then, I have had my citizenship restored.
- **NOTE:** Conviction is defined as "A person who has been "convicted" and found guilty, or has entered a plea of guilty or nolo contendere, and for which a judgment has been entered."
- I have had no alcoholic beverage permit revoked within three years.
- I am a resident of the state of North Carolina (except for an officer or stockholder of a corporate 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 or lessee of the premises to be covered by the ABC permit(s).
- I am not an officer, director or affiliate nor do I have any interest in, or receive from, or pay any profits or salary to any N.C. retail malt beverage or wine business, except as authorized by North Carolina Law for a N.C. winery and N.C. brewery, as provided in General Statute Chapter 18B, Article 11.

Signature of Individual Filing Application

Date

Sworn to and subscribed before me this the _____

Day Month Year

My commission expires _____

Notary or other person qualified by law to administer oaths

MAIL THIS APPLICATION TO:

If sending by U.S. Postal Service (regular mail):

NC ABC COMMISSION
4307 MAIL SERVICE CENTER
RALEIGH NC 27699-4307

If sending by U.S. Postal Service **EXPRESS**
MAIL or by FEDEX/UPS:

NC ABC COMMISSION
400 EAST TRYON ROAD
RALEIGH NC 27610