

**NORTH CAROLINA  
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

**Location: 400 EAST TRYON ROAD**

**RALEIGH NC 27610**

**(919)779-0700**

abc.nc.gov

FEE PAID: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_

APPROVED .....

REJECTED .....

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

(Do Not Write Above This Line)

**APPLICATION FOR SPECIAL ONE-TIME AUCTION PERMIT**

**Application Instructions:**

- A. Complete this application in its entirety. (Please print.)
- B. Applicant's signature must be notarized.
- C. The fee (\$750.00) must be submitted by certified check, cashier's check, or money order, and made payable to the North Carolina Alcoholic Beverage Control Commission.
- D. Application packet must include the following:
  - 1. A copy of the applicable active license issued by the NC Auctioneers Commission
  - 2. Details of the date, time, duration, place and manner of the auction
  - 3. A list of the specific wine and/or spirituous liquors which may be subject to auction, including name, brand, quantity and volume
  - 4. Pictures of the containers of spirituous liquors to be sold in sufficient clarity for the content of the labels to be legible.

I hereby make application to the North Carolina Alcoholic Beverage Control Commission for a Special Auction Permit pursuant to G.S. 18B-1002(a)(4) to possess and to sell a collection of wine, decorative decanters of spirituous liquor, or antique spirituous liquor at auction.

Trade Name of Business \_\_\_\_\_

Location Address of Business  
Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Mailing Address of Business  
Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Business Location Telephone # \_\_\_\_\_

Applicant's Full Name  
First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

Date of Birth \_\_\_\_\_ Last 4 digits of Social Security # \_\_\_\_\_

*It is a Crime to make a false statement to obtain an ABC Permit*

**I CERTIFY UNDER OATH OR AFFIRMATION THAT:**

- I am not less than 21 years of age.
- I have not been convicted of a misdemeanor controlled substance offense or alcoholic beverage offense within the past two years.
- I have not been convicted of a felony within the past 3 yrs, and if convicted of a felony before then, I have had my citizenship restored.
- I have not had an alcoholic beverage permit revoked within the past three years.
- All of the information supplied by me in this application is complete and accurate.
- I, or my agent, will personally supervise the sale of alcoholic beverages and abide by all ABC laws.
- I understand that failure to abide by the ABC laws may result in the immediate revocation of my privilege to sell/serve alcohol.

\_\_\_\_\_  
Signature of Applicant

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  
ATTN: Permit & Product Compliance  
4307 Mail Service Center  
Raleigh, NC 27699-4307

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

NC ABC Commission  
ATTN: Permit & Product Compliance  
400 East Tryon Road  
Raleigh, NC 27610

#### **14B NCAC 15A .2204 SPECIAL AUCTION PERMITS**

(a) To qualify for a permit issued pursuant to G.S. 18B-1002.1, in addition to the applicable information required pursuant to G.S. 18B-900, an auction firm or auctioneer licensed pursuant to Chapter 85B of the General Statutes shall submit an application to the Commission that requires the following information:

- (1) a copy of the applicable active license issued by the North Carolina Auctioneers Commission;
- (2) the details of the date, time, duration, place, and manner of the auction; (3) a list of the specific wine or spirituous liquors which may be subject to auction, including the name, brand, quantity, and volume of each bottle or decanter; and
- (4) pictures of the containers of spirituous liquors to be sold in sufficient clarity for the content of the labels to be legible.

(b) No permit is required pursuant to G.S. 18B-1002.1 for sale at auction of alcoholic beverages pursuant to a permit issued pursuant to G.S. 18B-1002(a)(1), (2) or (3), or a permit issued pursuant to G.S. 18B-1002(a)(4) when the auction is conducted on the collector's premises and the alcoholic beverages remain in the possession of the collector until transferred to the buyer.

*History Note: Authority G.S. 18B-100; 18B-207; 18B-900; 18B-1002.1; Temporary Adoption Eff. February 23, 2018. (Codifier's Note: This Rule shall remain in effect until the permanent rule that replaces the temporary rule is effective. (See S.L. 2017-87, s. 19.(a)).*

#### **14B NCAC 15A .2205 CONDITIONS OF SALE UNDER SPECIAL AUCTION PERMITS**

Sales at auction of wine or spirituous liquor by the holder of a permit issued pursuant to Rule .2204 of this Section shall be subject to the following conditions:

- (1) the auctioneer shall be in physical possession of the wine or spirituous liquor subject to sale at auction;
- (2) sales shall only be made to persons at least 21 years of age;
- (3) sales shall be conducted subject to the date, time, place, and manner specified in the permit;
- (4) no sales shall be made to a person who is intoxicated as defined in 14B NCAC 15B .0101(2);
- (5) delivery of possession of a quantity of wine or spirituous liquor sold pursuant to this Rule to a single buyer in excess of the limits set forth in G.S. 18B-303 shall not be permitted unless the buyer at auction of the wine or spirituous liquor has a valid permit issued pursuant to G.S. 18B-1002(a)(4) or otherwise complies with the provisions of G.S. 18B-303;
- (6) records of sales maintained in accordance with G.S. 85B-7(d) of an auction conducted pursuant to Rule .2204 of this Section shall be open to inspection by the Commission and law enforcement agents in accordance with G.S. 18B-502; and
- (7) purchases by the holder of a permit issued pursuant to Rule .2204 of this Section who bids on and purchases at auction wine or spirituous liquor shall be subject to the conditions, limitations, and requirements of Items (2), (4), and (5) of this Rule.

*History Note: Authority G.S. 18B-100; 18B-207; 18B-303; 18B-502; 18B-1002; Temporary Adoption Eff. February 23, 2018. (Codifier's Note: This Rule shall remain in effect until the permanent rule that replaces the temporary rule is effective. (See S.L. 2017-87, s. 19.(a)).*