

14B NCAC 15B .0102 APPLICATIONS FOR PERMITS: GENERAL PROVISIONS

(a) Application forms for all ABC permits may be obtained from the North Carolina Alcoholic Beverage Control Commission's office or website as set forth in 14B NCAC 15A .0102.

(b) An applicant operating noncontiguous buildings or structures, except as permitted pursuant to G.S. 18B-1120, or businesses with separate trade names, shall obtain and hold separate permits for each building or business for which he or she wants permits, and shall pay the application fees as set forth in G.S. 18B-902(d). If the applicant requests a single permit for a business that is operated in contiguous buildings or structures over which the applicant has exclusive control over the buildings and the space between buildings, the Commission shall determine if the business is operating as a single business with the same operating scheme and purpose. If so, the Commission shall issue a single permit for the business.

(c) Each individual required to qualify for an ABC permit under G.S. 18B-900(c) shall file a written application with the Commission and in the application shall state, under oath, the following information:

- (1) the name, address, email address, last four digits of social security number, and telephone number(s) of the applicant;
- (2) the name of the business and whether the business is a sole proprietorship, corporation, limited liability company, or partnership;
- (3) the mailing address and location address of the business for which a permit is desired, and the county, and city if applicable, where the business is located;
- (4) the trade name of business;
- (5) the applicant's date of birth;
- (6) if the business is a corporation or limited liability company, the name and address of the person authorized to accept service of process under G.S. 1A, Rule 4(j) of Commission notices or orders;
- (7) if the applicant is a non-resident, the name and address of a resident of this State appointed as the applicant's attorney-in-fact in accordance with Chapter 32C of the General Statutes for purposes of G.S. 18B-900(a)(2)b.;
- (8) an actual diagram of the premises showing:
 - (A) the entrances and exits;
 - (B) the storage area for alcoholic beverages;
 - (C) the locations where alcoholic beverages will be served or consumed; and
 - (D) the exterior areas under lease, authority, or control of the applicant;
- (9) that the applicant is the actual owner or lessee of the premises, or controls the premises pursuant to a management agreement to operate the premises with the actual owner or lessee, where a permit is sought;
- (10) that the applicant is an actual resident of the State of North Carolina or, as a non-resident, has appointed, by a power of attorney, a resident manager, who is an actual resident of this State, to serve as attorney-in-fact who will manage the business and accept service of process and official Commission notices or orders; and
- (11) that the applicant is in compliance with G.S. 18B-900(a)(3) through (8).

(d) The following documents completed, signed, notarized, and recorded, as applicable, shall be attached to and submitted with an application, and shall be incorporated as part of the application:

- (1) a Zoning and Compliance Form signed by the appropriate officials pursuant to G.S. 18B-901(c);
- (2) for applicants for retail permits, a Proof of Alcohol Seller/Server Training Form containing the applicant's name, business name, address, and telephone number, and a certification of completion of an approved Alcohol Seller/Server training class with training date issued by the approved course provider unique to the applicant;
- (3) the fingerprint card, Authority for Release of Information Form, and certified check, cashier's check, money order, electronic payment, or credit card payment made payable to the North Carolina ABC Commission in the amount of thirty-eight dollars (\$38.00) for payment of a state and national fingerprint based check pursuant to 14B NCAC 18B .0405, which is incorporated herein by reference, including subsequent amendments and editions;
- (4) payment of applicable permit fees as authorized in 14B NCAC 15A .0104;
- (5) a certified copy of any recorded power of attorney registered in the county where the proposed licensed premises is located;
- (6) a Recycling Compliance Form for on-premise malt beverage, fortified wine, unfortified wine, and mixed beverage permits only;

- (7) for corporations not already holding a permit in this State, a copy of the Articles of Incorporation and notarized corporate certification of shareholders holding 25 percent or more of the shares of the corporation;
- (8) for limited liability companies not already holding a permit in this State, a copy of Articles of Organization and notarized organizational certification of members owning 25 percent or more interest in the company. Additionally, if manager managed, a copy of the Operating Agreement;
- (9) a black and white copy of applicant's current photo identification;
- (10) a copy or memorandum of the lease showing the applicant as tenant, a copy of the deed showing the applicant as the grantee or owner, or a copy of a management agreement with the owner or lessee of the permitted property showing the applicant has the authority to operate the business at the permitted location;
- (11) a diagram of the premises including the details required pursuant to Subparagraph (c)(8) of this Rule; and
- (12) a Federal Employer Identification/Social Security Number Verification Form.

History Note: Authority 18B-100; 18B-207; 18B-900; 18B-901; 18B-902; 18B-903; Eff. January 1, 1982; Amended Eff. January 1, 2011; July 1, 1992; May 1, 1984; Temporary Amendment Eff. October 25, 2013; Amended Eff. September 1, 2014; Transferred and Recodified from 04 NCAC 02S .0102 Eff. August 1, 2015; Recodified Paragraphs (c)-(l) to 14B NCAC 15B .0103 Eff. July 1, 2018; Readopted Eff. July 1, 2018.