

STATE OF WEST VIRGINIA DEPARTMENT OF REVENUE ALCOHOL BEVERAGE CONTROL ADMINISTRATION 900 PENNSYLVANIA AVENUE 4TH FLOOR CHARLESTON, WV 25302

INSTRUCTIONS FOR COMPLETING APPLICATION FOR RETAIL CLASS A LICENSE-ON PREMISES TAVERN

PLEASE READ ALL THE INSTRUCTIONS CAREFULLY. ALL QUESTIONS ARE TO BE ANSWERED IN FULL. APPLICANT'S ACCURACY AND THOROUGHNESS IN COMPLETING THE APPLICATION FORM WILL ASSIST THIS OFFICE IN PROCESSING THE APPLICATION AND PREVENT UNNECESSARY DELAYS.

PLEASE VISIT THE WVABCA WEBSITE AT <u>ABCA.WV.GOV</u> FOR MORE DETAILED INSTRUCTIONS REGARDING "SERVICES" AND NEW LICENSE TYPES IN HB 2025.

APPLICANTS MUST TYPE OR PRINT, IN INK, ALL ANSWERS ON FORMS

Please find enclosed:

- 1.) Application for Retail License, Consumption on Premises, Class A (ABCA 192T)
- 2.) Release of Information & Waiver of Confidentiality of Records (ABCA-Lic. RIWCR.2)
- 3.) Nonintoxicating Beer Bond (ABCA-194)
- 4.) Floor Plan (ABCA-Lic.FP3), give dimensions of licensed premises
- 5.) Zoning Form (ABCA-Lic.Z.2)

INSTRUCTIONS

<u>All</u> questions and/or descriptions must be answered. The application <u>must</u> be signed and notarized. If any questions/description cannot be completed in the available space on the application, please submit additional pages as needed. Each additional page submitted must include entity name, DBA name, and indicate which question applicant is answering.

Applications must be completed correctly, and all necessary paperwork included when mailed to the WVABCA. Failure to do so will result in the application being delayed and/or returned to the applicant for the necessary corrections.

LEASE – Applicants must provide a copy of a valid lease if not the property owner.

LICENSE FEES – License fees <u>must</u> be paid by Certified Check, Cashier's Check, Business Check, Personal Check, Credit Card or Money Order. Cash will not be accepted. Make checks payable to the WVABCA.

All retail licenses are valid from issue date to June 30th of the current licensing period. If applying for a license to be issued after December 31st, most license fees are semi-annually prorated to half the initial fee.

LIVE SCAN FINGERPRINTING – All applicants must complete a Live Scan Fingerprint in order to obtain a valid license. IdentoGO by MorphoTrust will provide fingerprinting services for all WVABCA license applicants. Contact IdentoGo at 855-766-7746 or online at https://uenroll.identogo.com for information on fingerprinting, locations, scheduling appointments, and fee requirements.

Fingerprint result reports MUST be sent to WVABCA directly from IdentoGo by Morpho Trust.

Please contact the WVABCA Licensing Department at 304-356-5500 to obtain the proper service code for the Live Scan Fingerprinting process.

NO REPORTS WILL BE ACCEPTED DIRECTLY FROM LICENSE APPLICANTS. FOR BEER GROWLERS, SEE GROWLER FORM.

BOND – Applicants must have a \$1,000.00 Nonintoxicating Beer Bond. Completed on the form(s) provided by the WVABCA.

HEALTH PERMIT – Applicants must provide a copy of a valid <u>Health Permit</u> issued in applicant's name. (<u>If Association, Limited Liability Company</u>, or Corporation, the Health Permit must be issued in the business entity name and list the <u>DBA name</u>.)

WV SECRETARY OF STATE – All Associations, Corporations, Limited Liability Companies, Non-Profit Clubs, and Fraternal Organizations must be duly certified and registered with the WV Secretary of State.

INSTRUCTIONS FOR SIGNING:

- a) If an individual, by the owner.
- b) If a partnership, by each member of the partnership (Copy of Partnership Agreement to be submitted to WVABCA).
- c) If an association, by each member of the governing board.
- d) If a corporation, by all officers, or by other persons specifically authorized by corporate resolution (copy of resolution must be enclosed).
- e) If a limited liability company, by all members.
- f) Manager(s) must sign.

All applicants must apply for a "Special Occupation Tax (TTB F 5630.5d)" with the Alcohol and Tobacco Tax and Trade Bureau. Form and instructions are available through download at the following website: http://www.ttb.gov/forms/f56305d.pdf or by calling the toll-free number at 1-800-937-8864. A copy of the TTB form must be submitted with application to the WVABCA.

BUSINESS CLOSURE

If issued, the license may not be abandoned, rented, leased, given, loaned, or sold to another. Upon <u>sale</u> or <u>closure</u> of the applicant's business, the license <u>must</u> be returned to the WVABCA Licensing Division. Please include reason for closure, date business closed, and signature on back of license.

MAIL COMPLETED APPLICATION, FEES, AND REQUIRED ACCOMPANYING FORMS TO:

West Virginia Alcohol Beverage Control Administration ATTN:

Licensing Division

900 Pennsylvania Avenue, 4th Floor Charleston,

WV 25302

<u>IF YOU HAVE ANY QUESTIONS OR NEED ASSISTANCE PLEASE CALL THE ADMINISTRATION AT 1-800-642-8208</u> OR (304) 356-5500 AND ASK FOR THE LICENSING DIVISION.

CHECKLIST OF FORMS/PAPERS TO RETURN TO THE WVABCA, LICENSING DIVISION:

- Application Form
- Release of Information & Waiver of Confidentiality of Records
- Copy of Valid Lease (if not owner)
- License Fee(s)
- Floor Plan
- Copy of Valid Health Permit
- Zoning Form completed by applicant & municipality if within city limits or, Zoning Form completed by applicant & letter from County Commission if outside city limits
- Copy of TTB form
- Bond
- Naturalization papers (if applicable)

FRATERNAL REQUIREMENTS:

- 1) A copy of the by-laws.
- 2) A list verifying the names, addresses and phone numbers of the officers of the national and/or state organization with which your organization is affiliated.
- 3) A list verifying the names, addresses and phone numbers of all dues-paying members.
- 4) A copy of all documents verifying membership in a national and/or state charter.
- 5) A copy of all documents verifying that the national and/or state charter with which your organization is affiliated permits lodges to seek a WVABCA license.
- 6) A copy of all motions and/or minutes where the president and/or officers of your organization were permitted or authorized by the membership to seek a WVABCA license.

WEST VIRGINIA ALCOHOL BEVERAGE CONTROL ADMINISTRATION

APPLICATION FOR RETAIL LICENSE

CONSUMPTION "ON PREMISES"

TAVERN

CLASS A

CO	UNTY:	—— FOR FISCAI	L YEAR	TO		
PLE	ASE CHECK ALL APPE		SURE TO CHECK THE BO	X(ES) BESIDE EACI	H (ALL) OF THE LICENSES FOR	WHICH YOU
		□ Tavern		B. APPLYING (CHECK C	DNE) nership	
1) 2)	Applicant/Entit Doing Business	y Name: s As (DBA) Nam <u>e:</u>				
3)	Business Addre	ess:	(STREET)			
	(CITY)	(STATE)	(ZIP	CODE)	(TELEPHONE)	
4)	Mailing Addres	s (required):	(STREET)			
	(CITY)	(STATE)	(ZIP	CODE)	(TELEPHONE)	
5)		LLOWING INFORMATIO JST LIST A MANAGER	ON ABOUT OWNER(S) AND/OR OF	FICER(S) AND MANAGE	R(S). ALL U.S. Citizen**
Title	Name / / Date of Birth	Residence A	Idress, City, State and Zip Telephone Number		% Ownership	Y/N
Title	Name / /	Residence A	ldress, City, State and Zip	Code	% Ownership	Y/N
	Date of Birth	Social Security Number	Telephone Number	YRS Reside	ent of WV	
Title	Name // Date of Birth	Residence A	Idress, City, State and Zip	Code YRS Reside	% Ownership	Y/N
Title	Name / / Date of Birth	Residence A	Idress, City, State and Zip Telephone Number	Co de YRS Resido	% Ownership	Y/N

** IF NATURALIZED U.S. CITIZEN, MUST SUBMIT COPY OF NATURALIZATION DOCUMENTS.NON-CITIZENS MAY BE LISTED AS SHAREHOLDER, OWNER, OR DIRECTOR OF CORPORATION ONLY. TITLE REFERS TO CORPORATE OFFICERS, PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER, MEMBER.

6)	CRIMINAL HISTORY- THE FOLLO OF THE OWNERS, PARTNERS, OF ATTACH ADDITIONAL PAGES IF	FICERS, DIRECTORS,	MEMBERS AND	OR MANAGERS.
	NAME DATE OF ARREST CHARGE	DISPOSITION OF ARREST	LOCATION OF COUL	RT (COUNTY & STATE)
7)	STATE NAME AND ADDRESS OF MORE INTEREST IN THE APPLICA LIMITED PARTNERSHIP, AND/OR PERCENTAGE OF OWNERSHIP IN	ANTS' CORPORATION R LIMITED LIABILITY NTEREST FOR EACH P	N, ASSOCIATION, COMPANY. STA	PARTNERSHIP, TE THE EXACT
	HOLD NO PERCENTAGE OF OWN NAME ADDRESS	NERSHIP.	SOC. SEC. #	%OWNERSHIP
8)	HAS ANY OFFICER, MANAGER, OHOLD A WVABCA LICENSE? YES NO IF YES, WHO?		ER EVER HELD (OR CURRENTLY
	DBA NAME?			
	WAS THE LICENSE:	REVOKED	DATE	
		SUSPENDED	DATE	
		SANCTIONED	DATE	
9)	OWNER OF PREMISES TO BE LIC IF NOT PROPERTY OWNER, APPL OF THE LEASE)	,		
10)	DOES THIS LOCATION CURRENT IF YES, NAME OF LICENSED EST. LI			YES NO

11) THE LICENSE APPLIED FOR IS NOT FOR ANY COLLEGE FRATERNITY OR SORORITY AND THE PROPOSED LOCATION OF THE PREMISES HAS NOT BEEN DETERMINED BY LAW TO BE A PUBLIC NUISANCE, EXCEPT AS FOLLOWS:
12) ARE THE APPLICANT'S PREMISES LOCATED: A. WITHIN AN INCORPORATED MUNICIPALITY OR WITHIN ONE MILE OF THE CORPORATE LIMITS OF ANY MUNICIPALITY: YES NO B. WITHIN ONE MILE OF THE CORPORATE LIMITS OF TWO OR MORE MUNICIPALITIES: YES NO IF YES, NAME THE MUNICIPALITIES: (1) (2) (3)
13.) LIST THE DISTANCE TO THE NEAREST: A.) CHURCH B.) SCHOOL C.) RESIDENCE D.) GOVERNMENT OFFICE
14.) WILL TOBACCO PRODUCTS BE SOLD AT THIS ESTABLISHMENT? YES NO
15.) WILL YOU BE APPLYING FOR A LIMITED VIDEO LOTTERY LICENSE? YES NO
16.) IS THE APPLICANT'S LOCATION READY FOR AN INITIAL INSPECTION? YES NO IF NO, WHAT IS THE PROJECTED DATE FOR THE INITIAL INSPECTION?
17.) ON WHAT DAY (DATE) WAS THE "SPECIAL TAX REGISTRATION AND RETURN APPLICATION" (TTB FORM) SUBMITTED TO THE ALCOHOL AND TRADE BUREAU?

The undersigned agree, if a license is issued as herein applied for, to comply at all times and observe all the provisions of West Virginia §§ Chapter 11, Article 16 et seq., and Chapter 60, Articles 1 through 8 et seq., and all Federal and State Statutes and all other laws of this State and the rules and regulations promulgated by the Alcohol Beverage Control Administration. I or we certify under penalty of law and disqualification of licensure that all statements are true and complete. I or we release the State of West Virginia and any agent acting on its behalf from any and all liability due to the request for such information.

The undersigned hereby verify that we are all officers and all member of the board of directors on the application and that the statements and answers made in the foregoing application are true and the said writing is the act and deed of said Corporation, Limited Liability Company, Association, Individual, Partnership, Limited Partnership. OFFICERS, INDIVIDUAL, OR MEMBER(S) SIGNATURES MUST BE NOTARIZED! MUST MATCH OFFICERS LISTED WITH THE SECRETARY OF STATE. MANAGERS MUST ALSO SIGN.

PRINT CLEARLY/ WRITTEN SIGNATURES REQUIRED

NAME:	TITLE:
SIGNATURE:	DATE OF SIGNATURE:
NAME:	TITLE:
SIGNATURE:	DATE OF SIGNATURE:
NAME:	TITLE:
SIGNATURE:	DATE OF SIGNATURE:
NAME:	TITLE:
SIGNATURE:	DATE OF SIGNATURE:
NAME:	TITLE:
SIGNATURE:	DATE OF SIGNATURE:
State of West Virginia,	County, To-Wit:
	, being first duly sworn
according to law, deposes and says that he/she is	of the
Business Entity statements and answers made in the foregoing application are true and acknowledges and acknowledges and acknowledges are true and acknowledges.	rized by law to do business in the State of West Virginia, and that the owledged the said writing to be the act and deed of said
corporation.	(Applicant Signature)
STATE OF WEST VIRGINIA,	
COUNTY OF, to wit: Sworn to before me and subscribed in my presence this day of	
NOTARY PUBLIC	
My Commission Expires:	

SEAL OF NOTARY

WEST VIRGINIA

ALCOHOL BEVERAGE CONTROL ADMINISTRATION

RELEASE OF CONFIDENTIAL INFORMATION AND WAIVER OF CONFIDENTIALITY OF RECORDS

I or we, having made application with the West Virginia Alcohol Beverage Control Administration for issuance of a license to sell alcoholic beverages within the State of West Virginia, hereby waive the benefit of any municipal, county, state, or federal statute, rule, ordinance, regulation or other law prescribing the confidentiality of any records or documents, whether formal or informal, pending or closed, maintained by any public or private agency or organization as those records or documents pertain to residency, business location, business activities, education and/or training, employment, criminal history, civil litigation, or law enforcement investigation.

I or we, hereby authorize and request every public or private agency, organization, or person maintaining such records to furnish to the West Virginia Alcohol Beverage Control Administration, or their agents or representatives, any information contained therein and to permit them to inspect and make copies of such records and documents.

I or we, hereby authorize the West Virginia Alcohol Beverage Control Administration to disclose any information pertaining to the licensure to any municipal, county, state, federal or private agency or organization that has any interest in the licensing of said applicant.

I or we, hereby release the West Virginia Alcohol Beverage Control Administration, their agents and representatives, and any agency, organization, or person furnishing information from all liability arising out of any investigation concerning the applicant. I or we further agree that a copy of this Release and Waiver shall function as an original.

I or we, herby acknowledge that it is understood that a background check will be completed by both the West Virginia State Police and the Federal Bureau of Investigation. It is further understood that if I or we, dispute an FBI submission under Title 28, C.F.R., 16.34, I or we have the right to challenge the completeness or accuracy of the criminal history record by contacting the FBI directly. I or we acknowledge that by affixing a signature(s) below gives this document full force, and upon this date all aforementioned information may be received and shared as prescribed.

Must be completed by all owners, officers, members and managers.

Printed Name	Written Signature	Title	Date

(ADDENDUM B) ABCA-Lic. RIWCR.2

KNOW ALL MEN BY THESE PRESENTS:

Surety Rond #		

For Fiscal Year	to

NONINTOXICATING BEER BOND

THIS BOND MAY BE USED BY AN INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION

That (I)	(we),	being		_/
	If Individual or partnership insert name of people Corporation or association insert name of corporation or as	ssociation	Insert one above An Individual, Partnership, Corporation, or Asso	(County)
doing b	usiness under the name of	/_	(Mailing Address)	(City)
West Vi	rginia, as principal, and		porate surety)	a corporation authorized
	\$1,000.00), to the payment whereof well an	r, are held and firmly boo nd truly to be made, we	und unto the STATE OF WEST bind ourselves, our successor	VIRGINIA in the full and just sum of One Thousand sand assigns, jointly and severally, firmly by these
	e 16, Chapter 11 of the Code of West Virgi EALER'S LICENSE to sell nonintoxicating been	nia, of 1931 , as amend r on the premises descri	ed, and regulations promulg bed in the application for suc	
force and	missioner, with respect to the distribution, s	ale and dispensing of no hall be revoked, then th	onintoxicating beer, then this ne full amount of this bond sh	ginia, and regulations promulgated thereunder by sobligation to be void; otherwise to remain in full nall be forfeited to the State of West Virginia, and
	This bond is executed in pursuance of the ns promulgated thereunder by the Commiss	e provisions of said Art ioner, and the pertinent	icle 16, Chapter 11 of the C	ode of West Virginia, of 1931, as amended, and d regulations are hereby made a part of this bond. <u>W</u>
from the	be signed hereto and its corporate seal to b	be hereunto affixed by it the 30th day of June	ts official or agent there unto	al(s), and the said surety has caused its corporate oduly authorized, and this bond is to be effective released by the State of West Virginia or cancelled
	Signed and dated this	day of		
	Signed and dated this	uuy oi		: Must Sign As Principal)
Surety:				(Seal)
				(Seal)
BY:	(SURETY CORPORATE SEAL)			(Seal)
			N APPLICANTS EXECUTE BE	
-1				surety have caused their respective names to be
_			_	eunto authorized, and this bond is to be effective by the State of West Virginia or cancelled by the
	er due notice to all parties concerned.	s Sour day or June	,unless sooner released	by the state of west virginia of cancelled by the
-	ed and dated this	day of		
Surety:			If Association or Fraternal Club has t	Instructions For Signing wo owners, all must sign bond as Association principals. If ownership involv
			more than two persons, one officer	or (owner) can be empowered to sign on behalf of Association. Corporatio President. If any other officer signs, attach corporate resolution or Power c
Ву:	(Seal)			
Its:	(Title)		Association	(Seal)
	(Surety Corporate Seal)			(Seal)
			Principals:	(Seal)
Resident Age	ent:			
Address:			By:	(Seal)
			Its:	Title
Phone No:				
r none No				

Note:

No. 1 -To be completed by Notary Public for an Individual or Partnership.

No .2 -To be completed by Notary Public for a Corporation or an Association.

No. 3 -To be completed by Notary Public for Bonding Company Signature.

Power of Attorney should be attached and dated, notarized same day as issuance of bond.

NO. 1 - INDIVIDUAL OR PARTNERSHIP ACKNOWLEDGMENT

STATE OF WEST VIRGINIA,	
COUNTY OF	, To-wit:
	, a Notary Public in and for the county and state aforesaid, do hereby certify that,whose name(s) (is) (are) signed to the writing above or hereto annexed, bearing date o
	,, (has) (have) this day acknowledged the same before me in my said county.
Given under my hand this	sday of,
	Notary Public
My commission expires on the	day of
	NO. 2- CORPORATION OR ASSOCIATION ACKNOWLEDGMENT
STATE OF WEST VIRGINIA,	
COUNTY OF	To-wit [.]
<u></u>	, 10 wii:
	a Notary Public in and for the county and state aforesaid, do hereby certify that,who signed the writing above, or hereto annexed, for,(a corporation) (an association), bearing
date on theday of	, ,,(has) (have) this day in my said county, before me,
acknowledged the said writing to	be the act and deed of said (corporation) (association).
Given under my hand this	,
My commission evniros on the	Notary Public,
iviy commission expires on the	uay 0i
	NO. 3-BONDING COMPANY - CORPORATE ACKNOWLEDGMENT (For Individual Signing For Surety)
STATE OF WEST VIRGINIA,	
COUNTY OF	To-wit:
	a Notary Public in and for the county and state aforesaid, do hereby certify that
	,Who signed to the writing above, or hereto annexed for, a corporatio
bearing date on theday of	,(has) (have) this day in my said county, before me, acknowledged th
said writing to be the act and deed	·
Given under my hand this	day of,
	Notary Public
My commission expires on the	day of,

West Virginia Alcohol Beverage Control Administration

Floor Plan

	License Perion: to	
Applicant Enti	ity Name:	
Doing Busines	ss As (DBA) Name:	
County:		
Floor plan <u>i</u> or consume	must include all areas under the control or lease of the applicant where alcohol is to be stored, so ed. All areas under control or lease of the applicant must be licensed.	ld,
	SUBMIT (1) COPY TO WVABCA. MUST GIVE DIMENSIONS.	
	KEEP (1) COPY AT LICENSED PREMISES.	

*If there are attached drawings please check:

(Additional drawings must include entity & DBA name and must be signed and dated.)

Room or Outside Structure	Located on What Floor	Seating Capacity	Location (Samina Vitahan Stanga Eta.)
(Width, Length) (Example: 24' X 36")			(Serving, Kitchen, Storage, Etc)
I or we hereby certify that the floor plan abo			
and/or stored. And, I or we further understar	nd that any violation of this pro	vision will mean immediate revocat	on or suspension of my license.
Print:	Signature:	Title:	Date:
Print:	Signature:	Title:	Date:
Print:	Signature:	Title:	Date:
Print:	Signature:	Title:	Date:
Print:	Signature:	Title:	Date:

Zoning Form

(Original copy must be submitted to the WVABCA Licensing Department)

Note: If an establishment's location is not situated within a municipality, this office will need a letter from the County Commission stating that the establishment location is zoned properly. All applicants must complete the obverse (front) portion of the form.

To: Municipal Clerk or Recorder

Under the requirements set forth in 60-7-4a and/or 11-16-8(a)(5) of the W. Va. State Code, a person intending to apply for a license to operate an ABCA licensed Private Club, Private Wine Restaurant or Tavern at any location within a municipality must file a notice of such intention with the Clerk or Recorder of such municipality at least ten (10) days prior to filing an application for such license with the Alcohol Beverage Control Administration. Pursuant to this requirement, notice is herein given that the following intends to apply to the WVABCA for a license to operate a Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern issued pursuant to the provisions of §§ Chapter 60, Article 7 and Article 8 and/or Chapter 11, Article 16 of the W.Va. State Code.

Entity Name:			
DBA (Doing Business As):			
Address of Establishment:(Street/Route)			
(Street/Route)	(City)	(State)	(Zip Code)
Applicant's Name(s):			
(Last)	(First)	(Middle)	
(Last)	(First)	(Middle)	
General Description of Premises:			
Food Services to be Offered:			
Patron Capacity:			
This Notice has been filed with the Clerk	or Recorder of the City/Town of		
on this	day of		
Applicant's Signature(s):		Date:	
		Date:	

(FOR USE BY MUNICIPAL AUTHORITIES ONLY)

1 1	for the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private ribed consistent with the zoning ordinances or your Municipality as either a permitted use ch premises?
Yes	No
	uestion was "no," does your Municipality provide within its business zones suitable rivate Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa,
	No
	or the Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private in described situated in an area designated for the use of community development block pality?
Yes _	No
governing body of the mu	of the premises at the location herein described consistent with any plan adopted by the inicipality for revitalization of the area wherein the premises are situated? No
• •	ve any restrictions or regulations prohibiting Limited Video Lottery?No
	ve any restrictions or regulations prohibiting Exotic Dancing establishments? No
Additional comments to the	he Alcohol Beverage Control Administration:
Approved By: Authoriz	zed Official Signature and Title
City/Town	
Date:	
Return Original To:	WVABCA Licensing Division 900 Pennsylvania Avenue, 4 th Floor

Charleston, WV 25302