



SUPPLEMENT FOR FULL & LIMITED ON-PREMISES COMMERCIAL LICENSES

The information in this supplement outlines the required forms and documents needed for the above type of license. This supplement also lists the privileges for this type of license. The supplement is intended to be used in conjunction with the Liquor License Application Guide.

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Full On-Premises Sales License For Commercial Establishments (F-COM)

This license allows the sale of distilled spirits, malt beverages, cider and wine. This supplement deals solely with commercial establishments such as restaurants, bars and taverns. There is a separate supplement for private clubs, public passenger carriers, other public locations and caterers.

This license allows the holder to:

- Sell and serve distilled spirits by the individual drink.
- Sell malt beverages, cider and wine for consumption on the licensed premises.
- Sell malt beverages for consumption off the licensed premises in securely covered containers provided by the customer. Containers may not hold more than two gallons.
- Allow a patron to remove a partially consumed bottle of wine from the premises if the wine is served in conjunction with the patron's meal, the patron is not a minor, and the patron is not visibly intoxicated.
- Purchase distilled liquor **only** from a retail sales agent of the Commission or from another Full On-Premises Sales licensee who has purchased the distilled liquor from a retail sales agent of the Commission.

May also allow the holder to:

- Apply to serve alcoholic beverages for on-premises consumption at temporary events at locations other than the licensed premises and to provide catering at private events. Consult your designated OLCC representative for details and the required forms for each of these privileges.
- Apply for additional licenses, such as the off-premises sales license, winery license or brewery-public house license.
- Deliver wine, malt beverages, or cider in factory sealed containers to consumers, if you also hold another license at your licensed premises that allows deliveries, and have the appropriate delivery approvals. The licenses that allow deliveries are the Off-Premises Sales License (malt beverages, wine, and cider) and the Brewery-Public House license (malt beverages, only.) Most deliveries require OLCC approval. See the Off-Premises Sales license or Brewery-Public House License supplements, or contact your local OLCC office for information regarding deliveries.

ANNUAL FEE: \$400 plus a \$2.60 server education fee.

LIQUOR LIABILITY INSURANCE: Every applicant must obtain and maintain liquor liability insurance coverage in the minimum amount of \$300,000 with no deductible, and must provide proof of insurance before OLCC will issue the license.

The insurance policy and the proof of insurance that you provide to OLCC must list all of the applicants for the license as being insured under the policy, must include the address of the insured business, and must list OLCC as the certificate holder for the policy.

We will accept an insurance certificate or ACORD form from your insurance agent as proof of insurance, provided that the certificate meets the requirements above, and clearly states the amount of liquor liability insurance provided under the policy.

LOCAL GOVERNMENT RECOMMENDATION: See the *Local Government Recommendation* section of the Guide.

LAW ORIENTATION: See the *Law Orientation* section of the Guide.

SERVER EDUCATION: This requirement must be met before a license is issued. Individual, sole proprietorship applicants must successfully complete an alcohol server education class. Corporate, LLC and limited partnership applicants must designate a person or persons to take and pass a server education class on behalf of the business entity. The designee must have the authority to set, implement or change the licensee's practices for selling and serving alcoholic beverages. If your designee changes, you must appoint a new one within 20 days and notify the OLCC in writing within 10 days after the appointment.

SERVICE PERMIT: Every person who serves or sells alcohol for consumption on a licensed premises, and any manager who supervises these people must have a valid service permit. Licensees who are not licensed as corporations, LLC's or limited partners do not need a service permit but must take and pass a server education class.

FOOD & SEATING REQUIREMENTS FOR F-COM LICENSES

FOOD REQUIREMENTS

F-COM licensees must have food service available during all times when alcohol service is available.

Minimum Food Requirements during meal periods: If your business is open after 5:00 p.m. you must make available to your patrons at least five **different meals** during a regular meal period which must last at least three hours. The meals must be available to your patrons in all areas where alcohol service is available.

If your business is not open after 5:00 p.m. you must make available to your patrons at least five **different meals** during a meal period that lasts at least two hours. You must make the meals available to patrons in all areas where alcohol service is available.

During meal periods required above, at least three of the five **different meals** used to meet the minimum meal requirement must include a main course or entrée (**substantial food item**) which has been prepared or cooked in some manner beyond the simple reheating of a pre-cooked frozen food or carry-out item obtained from another business.

You may offer less than five meals during your meal period if the clearly dominant emphasis in the premises is food service. One way to show that the clearly dominant emphasis is food service is to show that the gross sales of **meals** and **substantial food items** that will be eaten on the premises will exceed the gross sales of alcohol during the times when alcohol service is available.

Minimum Food Requirements at times other than the required meal periods: In all areas of your business where alcohol is available, you must offer your patrons at least five **different substantial food** items.

What are substantial food items? What are meals? What makes one substantial food item or meal “different” from another meal?

Substantial food items are food items prepared or cooked on your licensed premises that are typically served as a main course or entrée. Some examples are items such as fish, steak, chicken, pasta, pizza, sandwiches, dinner salads, hot dogs, soup, and sausages. These are examples, and other items may qualify. However, substantial food items don't include snack items like popcorn, peanuts, chips and crackers.

Meals are substantial food items offered together with at least one side dish. A substantial food item can also be considered a meal if there are at least two side dishes available. Examples of side dishes include vegetables, fruit, salad, rice, french fries, and bread. Other items may count as side dishes, but snack items like popcorn, peanuts, chips, and crackers would not.

Different means a substantial food item differs in their primary ingredients or method of preparation. For example, a turkey sandwich differs from a salami sandwich, a beef burger differs from a turkey burger, a pepperoni pizza differs from a cheese pizza, and fried chicken differs from baked chicken. Different sizes of the same item don't count as “different meals”— for example, a large cheese pizza is not different from a small cheese pizza, and a large hot dog is not different from a small hot dog. Offering different side dishes with the same substantial food item does not make a meal different. For example, a baked chicken with french fries does not count as a different meal than baked chicken with a side salad.

Food Service violations: Licensees who do not meet the minimum food service requirements, or who don't provide the minimum required dining seating during meal periods are subject to sanctions. You are also subject to the sanctions if you or your employees discourage a patron from ordering or obtaining food. Examples of discouraging food service include failing to take, prepare, cook, or deliver a food order in a timely manner, clearly over-pricing food for the clientele of your business, offering or serving unpalatable food, failing to provide required food service; and failing to provide a food service menu to a patron in a timely manner when a patron requests one. The sanctions could include fines, license suspensions, or even license cancellation or non-renewal for repeated violations.

SEATING REQUIREMENTS

You are required to have a minimum of **30 dining seats** during your required meal periods. The dining seats must be at indoor tables or indoor food counters. The tables or counters must be in areas of the premises regularly open to the public. Each dining seat must provide a minimum space that will accommodate a place setting consisting of a plate or dish, glassware, napkin, and utensils for each seat.

The following types of seating **do not** count as dining seating:

- seats in outdoor areas;
- seats at bars;
- seats at counters where the primary activity is preparing, serving, selling or consuming alcohol;
- seats at counters in entertainment areas;
- seats that do not provide enough space to accommodate a place setting consisting of a plate or dish, glassware, napkin, and utensils for each seat.

You may qualify for a license at a business that has fewer than 30 dining seats if the OLCC determines that the clearly dominant emphasis of your business is food service in all areas where alcohol service is available when your business is open to the public. One way to show that the clearly dominant emphasis is food service is to show that the gross sales of meals and substantial food items that will be eaten on the premises will exceed the gross sales of alcohol during the times when alcohol service is available.

Required OLCC Forms:

Applicants must **fully and accurately** complete and submit the following OLCC forms. Please refer to the License Application Guide for information on completing the forms.

- Liquor License Application
- Individual History (all individual applicants and managers; corporate officers, directors and major stock holders; all limited liability company members and managers; and all limited and general partners)
- Statement of Funding
- Franchise Agreement Summary (if applicable)
- Corporate Questionnaire (if applying as a corporation)
- Limited Liability Questionnaire (if applying as an LLC)
- Limited Partnership Questionnaire (if applying as a limited partnership)
- Business Information
- Floor Plan Sketch (Refer to both sides of the form for instructions)
- Written proposal for a F-COM (Refer to the form for instructions)

Documents applicants must provide with initial application (copies only):

- Real estate and personal property (equipment, furnishings, etc.) leases. OLCC can accept a draft lease or a letter of intent from the landlord if you do not have a signed lease.
- Real estate and personal property purchase contracts
- Menu showing lunch and/or dinner entrees
- Menu showing foods available at times other than lunch or dinner
- Equipment list to support food service proposal (examples include: stove, refrigerator, freezer, hood, microwave, etc.)

Documents applicants may be asked to provide before a permanent license is issued:

- Corporate applicants only: filed articles of incorporation, meeting minutes designating current officers, directors and stock holders, and a copy of the stock subscription agreement
- LLC applicants only: the LLC's operating agreement and filed articles of organization
- Limited partnership applicants only: copy of the Limited Partnership Agreement and a certificate of partnership **or** a letter of acknowledgement from the state of Oregon
- Franchisees only: Franchise Agreement
- Non-Oregon corporate, LLC and limited partnerships only: Filed authority to conduct business in Oregon
- Liquor Liability Insurance Certificate

Limited On-Premises Sales License (L)

This license allows the holder to:

- Sell malt beverages, wine and cider for consumption on the licensed premises.
- Sell kegs of malt beverages for off-premises consumption. No kegs may be sold from any area where the OLCC allows minors.
- Apply for an Off-Premises Sales license.
- Sell malt beverages for consumption off the licensed premises in containers provided by the customer. The containers may not hold more than 2 gallons.
- Allows a patron to remove a partially consumed bottle of wine from the premises if the wine is served in conjunction with the patron's meal, the patron is not a minor and the patron is not visibly intoxicated.

May also allow the holder to:

- Apply to serve the alcoholic beverages permitted by the license for on-premises consumption at temporary events at locations other than the licensed premises.
- Apply to serve alcoholic beverages for on-premises consumption at temporary events at locations other than the licensed premises and to provide catering at private events. Consult your designated OLCC representative for details and the required forms for each of these privileges.
- Deliver wine, malt beverages, or cider in factory sealed containers to consumers, if you also hold another license at your licensed premises that allows deliveries, and have the appropriate delivery approvals. The licenses that allow deliveries are the Off-Premises Sales License (malt beverages, wine, and cider) and the Brewery-Public House license (malt beverages, only.) Most deliveries require OLCC approval. See the Off-Premises Sales license or Brewery-Public House License supplements, or contact your local OLCC office for information regarding deliveries.

ANNUAL FEE: \$200 plus a \$2.60 server education fee.

LIQUOR LIABILITY INSURANCE: Every applicant must obtain and maintain liquor liability insurance coverage in the minimum amount of \$300,000 with no deductible, and must provide proof of insurance before OLCC will issue the license.

The insurance policy and the proof of insurance that you provide to OLCC must list all of the applicants for the license as being insured under the policy, must include the address of the insured business, and must list OLCC as the certificate holder for the policy.

We will accept an insurance certificate or ACORD form from your insurance agent as proof of insurance, provided that the certificate meets the requirements above, and clearly states the amount of liquor liability insurance provided under the policy.

LOCAL GOVERNMENT RECOMMENDATION: See the *Local Government Recommendation* section of the Guide.

LAW ORIENTATION: See the *Law Orientation* section of the Guide.

SERVER EDUCATION: This requirement must be met before a license is issued. Individual, sole proprietorship applicants must successfully complete an alcohol server education class. Corporate, LLC and limited partnership applicants must designate a person or persons to take and pass a server education class on behalf of the business entity. The designee must have the authority to set, implement or change the licensee's practices for selling and serving alcoholic beverages. If your designee changes, you must appoint a new one within 20 days and notify the OLCC in writing within 10 days of the appointment.

SERVICE PERMIT: Every person who serves or sells alcohol for consumption on a licensed premises, and any manager who supervises these people must have a valid service permit. Licensees who are not licensed as corporations, LLC's or limited partners do not need a service permit but must take and pass a server education class.

Required OLCC Forms:

Applicants must fully and accurately complete and submit the following OLCC forms. Please refer to the Guide for information on completing the forms:

- Liquor License Application
- Individual History (all individual applicants and managers; corporate officers, directors and major stock holders; all limited liability company members and managers; and, all limited and general partners)
- Statement of Funding
- Franchise Agreement Summary (if applicable)
- Corporate Questionnaire (if applying as a corporation)
- Limited Liability Questionnaire (if applying as an LLC)
- Limited Partnership Questionnaire (if applying as a limited partnership)
- Business Information
- Floor Plan Sketch (Refer to both sides of the form for instructions.)

Documents applicants must provide with initial application (copies only):

- Real estate and personal property (equipment, furnishings, etc.) leases. OLCC can accept a draft lease or a letter of intent from the landlord if you do not have a signed lease.
- Real estate and personal property purchase contracts

Documents applicants may be asked to provide before a permanent license is issued:

- Corporate applicants only: filed articles of incorporation, meeting minutes designating current officers, directors and stock holders, and a copy of the stock subscription agreement
- LLC applicants only: the LLC's operating agreement and filed articles of organization
- Limited partnership applicants only: copy of the Limited Partnership Agreement and a certificate of partnership or a letter of acknowledgement from the state of Oregon
- Franchisees only: Franchise Agreement
- Non-Oregon corporate, LLC and limited partnerships only: filed authority to conduct business in Oregon
- Liquor Liability Insurance Certificate

Notes: