



Liquor License

Application

Guide

Promoting Responsible Alcohol Sales and Service

USING THE GUIDE

To apply for a liquor license you must fill out several OLCC forms and provide required documents. This guide will help you understand:

- Procedures for applying for a liquor license
- Terms OLCC uses on its forms
- How to fill out the licensing forms required for all applicants
- Documents you need to include with your application
- Where to get help

There are two parts to the guide. The first part details the forms and information describing you, our license applicant. The second part is a supplement that describes the forms and information required for your business. The supplement you need depends on the type of business you will operate:

Supplement for Full & Limited On-Premises Commercial Licenses for applicants who will operate a bar, restaurant, restaurant and lounge, nightclub, tavern or deli operation. Full On-Premises sales licenses allow the sale of distilled spirits, wine, malt beverages and cider by the drink for consumption at the place of business; Limited On-Premises sales licenses allow the sale of malt beverages, wine and cider.

Supplement for Full On-Premises Sales Licenses for Caterers, Private Clubs, Public Passenger Carriers & Other Public Locations for applicants who will operate a: catering service; non-profit private club (such as a fraternal or veterans organization); public venue (such as a stadium, performing arts center, concert hall or sports facility); or passenger carrier (such as a railroad, airline or tour boat).

Supplement for Off-Premises Sales Licenses for applicants who will operate a grocery store, convenience store, wine shop, gift shop, flower shop or delivery service, or who want to add “to go” sales of bottled beer, wine or cider to an on-premises business.

Supplement for Brewery-Public House Licenses for applicants who will operate a brew pub.

Supplement for Winery, Brewery & Distillery Licenses for applicants who will operate a winery, distillery or brewery, or who will grow grapes or fruit for wine or cider.

Supplement for Wholesale Licenses and Certificates of Approval for applicants who will wholesale, import, export or store wine, malt beverages or cider.

PROCEDURES FOR APPLYING FOR A LIQUOR LICENSE

BEFORE you request a liquor license application:

You must have a place where you will do business. Applicants must currently lease or own the business property or they must be in process of negotiating to lease and/or purchase it. We recommend that you make any purchase or lease contingent on getting a liquor license.

Determine whether your business will be a sole proprietorship, corporation, limited liability company or limited partnership. We will need to know which type of business you will have in order to get the correct forms to complete. If you are a corporation, limited liability company or limited partnership, you must register with the Oregon Secretary of State Corporation Division before you apply (see section 3 of this guide for details).

You may obtain the OLCC application forms at www.oregon.gov/olcc or by contacting your local OLCC office. A list of the OLCC offices can be found on page 13.

STEP 1 - Complete the application packet and submit it to the OLCC

- Follow the instructions in this guide to complete your license application packet.
- The application packet should include **original** OLCC forms and **copies** of supporting documents. Make a copy of the application packet for your records.
- Mail your original application packet to your local OLCC office. Make a copy of the application for your records.
- Your application packet will be returned if it is not complete. It is not complete if any required information is missing or if you don't include the required supporting documents.
- You may call your local OLCC office if you are unable to complete your application.
- **Do not include any fees at this time.**

STEP 2 - Complete OLCC Law Orientation

- Law orientation information will be sent to you upon receiving your completed application.
- You will need to complete the law orientation before you can sell or serve alcohol.

STEP 3 - OLCC staff will review your completed application packet

- When OLCC receives your application packet, it will be reviewed for completeness. You will be contacted if additional information is needed.
- Some applicants are eligible for a temporary authority to operate. You **may** be eligible if you are applying for:
 - ✎ an Off-Premises Sales license **or**
 - ✎ a change of ownership at a business that already has an OLCC license.

STEP 4 - Take the license application form to your local government for its recommendation

- OLCC will give you the forms that are required for the local government recommendation.
- You must obtain a receipt from the local government to verify that you submitted the forms. Send a copy of your receipt to your license investigator immediately.

STEP 5 - Complete the investigative process

- The investigation for most licenses can take eight weeks or more to complete.
- The investigation for a Full On-Premises Sales license can take twelve weeks or more.
- Non-routine applications may take longer to process. An OLCC staff member will contact you if there could be delays.
- Before the license is issued, you must pay the license fee if due.

Section 1: Directions for licensing forms and documents required for all applications

As you fill out the application forms, remember to:

- ✎ Fill out all forms completely. OLCC will return your application packet if required forms are incomplete or missing.
- ✎ Fill out the forms accurately. OLCC may deny your license if you provide false or incomplete information on any form.
- ✎ Send only copies of required supporting documents. OLCC will not return the supporting documents to you.

■ Liquor License Application Form

Fill out everything except the shaded areas.

Applicant(s): If you are forming a corporation, limited liability company (LLC) or limited partnership (LP) to operate the business, the applicant will be the name of the legal entity (not the trade name) in most cases. You must list all applicants for the license. If your business will be operated by two or more general partners, the partners (all general) must be listed as applicants.

Any person named as a lessee (i.e. tenant) or buyer of the land, building or equipment used in the business, is also an applicant if that person will participate in the ownership or operation of the business.

License Types

Check the box for the license or licenses that you are applying for. You can find detailed information on the types of alcohol sales allowed for each license type in the supplement.

Full On-Premises Sales

This license allows the holder to sell distilled spirits, wine, malt beverages and cider by the individual drink for consumption at the business. The application requires you to check the box for the type of business that you are proposing to license. The business types are:

- **Commercial Establishment** - A restaurant, lounge, bar or nightclub open to the general public, or a business such as a hotel or golf course that also has a restaurant, lounge, bar or nightclub that is open to the general public.
- **Caterer** - A business that contracts with clients to provide food and beverages. This designation is for applicants that do not also operate a commercial establishment.
- **Passenger Carrier** - A business that operates a railroad, airline, passenger boat, tour boat or cruise ship.
- **Other Public Location** - An auditorium, music, dance or performing arts center, play house, convention center, community center, banquet or special events facility, museum, art gallery, lodging facility with 100 or more guest rooms and banquet space for 100 or more guests, sports arena, fairground or other similar type of operation.
- **Private Club** - A non-profit club that is not open to the general public, and serves food to its members and guests. Common examples include fraternal and veterans organizations.

Limited On-Premises Sales

This license allows the holder to sell wine, malt beverages and cider for consumption at the business, and allows the sale of kegs of malt beverages “to go.”

Off-Premises Sales

This license allows the holder to sell factory-sealed containers of wine, malt beverages and cider “to go.” Malt beverages cannot be sold in single containers larger than two and one quarter gallons.

Brewery-Public House

This license allows the holder to manufacture malt beverages and sell them to patrons and wholesalers. It also allows the holder to sell malt beverages, wine and cider for consumption at the business, and “to go.” Licensees who manufacture 500 barrels of malt beverages or fewer in a calendar year may also wholesale the malt beverages they manufacture to OLCC retail licensees. The holder can also apply to use the license privileges at one additional location.

Winery

This license allows the holder to import, bottle, produce, blend, store, transport, export and wholesale wine and cider. Licensees may also sell wine, malt beverages and cider for consumption at the business, and sell wine and malt beverages “to go.” The licensee can also apply to use the license privileges at up to two additional locations. To qualify for a license, the applicant must principally produce wine in Oregon.

Other

Check this box and write the license name if you are applying for one of these types of licenses:

- **Brewery** - This license allows the holder to manufacture, import, export and store malt beverages. It also allows the holder to sell the malt beverages that they manufacture to OLCC-licensed wholesalers and retailers. Licensees may also sell malt beverages that they manufacture for consumption at the business and may sell five or more gallons to an unlicensed organization, lodge, picnic, party or private gathering. The unlicensed party may not resell the alcoholic beverages.
- **Grower Sales Privilege** - This license allows a licensee, who grows grapes or fruit used for making wine or cider, to import, store, transport, wholesale and export wine or cider. It also allows the sale of wine or cider for consumption at the business or “to go.” The licensee can also apply to use the license privileges at up to two additional locations. The grapes or fruit must be grown in Oregon on land that the applicant owns or leases. The licensee cannot produce wine under this license.
- **Distillery** - This license allows the holder to import, manufacture, distill, rectify, blend, denature and store distilled spirits with an alcohol content greater than 17% by weight. It also allows the holder to transport those spirits for sale out of state or to sell them to the OLCC. Distillery licensees that distill brandy or pot distilled liquor can permit tastings of these products and can sell them at retail if they are approved as retail sales agents of the OLCC.
- **Wholesale Malt Beverage and Wine** - This license allows the holder to import, store, transport, distribute and make wholesale sales of malt beverages, wine and cider to OLCC-licensed retailers. It also allows the holder to sell naturally fermented wine or cider in quantities ranging from four to fifty-five gallons “to go,” and sell malt beverages in five-gallon or larger quantities to an unlicensed organization, lodge, picnic, party or private gathering. The unlicensed party may not resell the alcoholic beverages.
- **Warehouse** - This license allows the holder to store, import, bottle, blend, transport and export, non-tax paid or tax paid wine, malt beverages or cider.

License Actions

Change of Ownership - Applying for a license at a business that has an existing alcohol sales license issued to the current owners.

New Outlet - Applying for a license at a business that does not currently have a license to sell alcohol.

Greater Privilege - Changing from a Limited On-Premises Sales license to a Full On-Premises Sales license.

Additional Privilege - Adding a new license type to a business with an existing license.

Other - Check this box and write in the name of the license action for:

- **Addition of Partner** - Adding an individual or other entity to an existing license.

- **Lesser Privilege** - Changing from a Full On-Premises Sales license to a Limited On-Premises Sales license.
- **Change of Location** - Moving an existing licensed business to a new location.
- **Second or Third Location** - Applying for a second or third location of an existing licensed business. Second locations are allowed for Brewery-Public House licenses. Second and third locations are allowed for Winery licenses and Grower Sales Privilege licenses.

Trade Name (DBA) - This is the name the owner chooses for the business. It is the name customers will see at the business location.

Business Location Address - This is the street address of the place where you will sell or serve alcohol.

Business Mailing Address - This is where OLCC will send your license renewal form and any other official OLCC notices. If you do not want your OLCC mail to go to your business location address, you must give a mailing address.

■ Statement of Funding Sources Form

Each individual who invests money in this business must complete this form. After reviewing this form, OLCC staff may request additional financial information and documentation.

Total start-up cost for the business. This includes all costs for preparing the business for opening and initial operation. Typical costs include:

- **Down payment(s).** This may include down payment for the business, real estate or real personal property (tables, chairs or other equipment).
- **Closing costs** if you are buying the real estate.
- **Earnest money** paid to the seller if you are buying the business or real estate.
- **Franchise fees** that you are required to pay at the time you sign the franchise contract.
- **Lease or rental payments** including first month's rental or lease payment, and any deposits, fees and pre-payments (such as the last month's rent).
- **Inventory** (cost of food, alcohol, soft drinks, and other supplies required to start the business).
- **Equipment** that you are purchasing or leasing, including tables, chairs, coolers, ovens and cookware. If you are leasing equipment include the initial monthly lease payment and any deposits, fees and pre-payments.
- **Remodeling costs** that are not included in the lease or rental contract.

- **Licenses fees, permit fees and taxes** such as: liquor licenses; city or county business licenses or permits; amusement device licenses; and Federal Bureau of Alcohol Tobacco and Firearms (BATF) taxes (see BATF section at the back of this guide for details).
- **Attorney fees** if you have hired an attorney to handle all or part of the business transaction or license application.

List the source(s) of the money that you need to start up the business. The total funds must be equal to or more than the total start-up costs. Examples of sources include: wages; business profits; savings in a bank account; bank loan; line of credit or cash advance from credit card; sale or refinance of home; second mortgage; gift from parent, other relative or friend; loan from parent, other relative or friend; or contract from seller.

■ Franchise Agreement Summary Form

Applicants who will be operating a franchised business must fill out this form. If you are applying for the license as a corporation, LLC or limited partnership, the Franchise Agreement and the Franchise Agreement Summary **must** name the corporation, LLC or limited partnership as the Franchisee.

Franchisee Name - This is the person or company who will operate the business; the license applicant.

Franchiser Name - This is the person who grants the franchise through a written franchise agreement. The franchise agreement gives the franchisee (the license applicant) the right to use the trade name, trademarks, symbols, advertising or trade secrets associated with the business.

Provide a signed and dated franchise agreement for review. If the franchise agreement is not finalized, provide a copy of the draft agreement or a letter of intent signed and dated by the franchiser. You must provide copies of the signed and dated document before the license is issued.

■ Individual History Form

Every person whose name is listed on the Liquor License Application must fill out an Individual History form. If someone other than an applicant will manage the business, the manager(s) must also fill out an individual history form. In addition, specific people in corporations, LLCs and limited partnerships must fill out an Individual History form. See the sections below for details.

Corporations - Individual History forms are required for:

- Each **principal officer**, including the president, vice president, secretary and treasurer
- Each **director** who owns or controls 3% or more voting stock
- Each **stockholder** in a corporation holding 10% or more of any issued stock
- The corporation's **designated manager(s)**

Limited Liability Companies - Individual History Forms are required for:

- Each **member** of a limited liability company (LLC)
- The **person(s) who will manage** the business

Limited Partnerships - Individual History forms are required for:

- Each **general partner**
- Each **limited partner** with a 10% or greater business
- The **person(s) who will manage** the business

☐ **Instructions for completing the Individual History form**

- ✎ You **MUST** answer **EACH** question **COMPLETELY** and **ACCURATELY**. Your application may be denied if you make false or misleading statements or omit required information.
- ✎ You **MUST** answer **ALL** questions on this form. If the question does not apply, write “n/a” in the space.
- ✎ You **MUST** list **ALL** convictions including traffic citations within the past twelve years.
- ✎ You **MUST** list **ALL** drug or alcohol diversions no matter how long ago the diversion occurred. A diversion is a program where you are not convicted of a drug or alcohol-related offense, such as Driving Under the Influence of Intoxicants (DUII) or possession of a controlled substance, but are required to get a drug abuse or alcohol abuse assessment, attend classes or attend counseling. Attach additional sheets of paper if there is not enough room to fully answer any question.

■ **Access Documents**

Lease Rental Contract

Applicants who will lease either the real property (building space, commercial space, etc.) or the personal property (equipment, furnishings, etc.) must provide a copy of the signed and dated lease contract. If the lease contract is not finalized, provide a copy of the draft lease contract or a letter of intent signed and dated by the landlord. You must provide copies of the signed and dated lease document before the license is issued. The OLCC will keep relevant pages of the documents. Relevant pages are those that contain the parties, payment terms, signatures, and any other pages the investigator deems relevant.

If you are applying for the license as a corporation, LLC or limited partnership, the lease and the Lease Rental Contract Summary must name the corporation, LLC or limited partnership as the lessee.

Purchase Contract

Applicants who will purchase either the real property (building or space) or the personal property (equipment, furnishings, etc.) must provide a signed and dated purchase agreement for the investigator to review. If the purchase agreement is not finalized, provide a copy of the draft agreement or a letter of intent signed and dated by the seller. You must provide copies of the signed and dated document before the license is issued. The OLCC will keep relevant pages of the documents. Relevant pages are those that contain the parties, payment terms, signatures, and any other pages the investigator deems relevant.

If you are applying for the license as a corporation, LLC or limited partnership, the purchase contract must name the corporation, LLC or limited partnership as the purchaser.

Section 2:

Additional forms required for Corporations, Limited Liability Companies and Limited Partnerships

■ Corporations

Corporation Questionnaire

- ✘ List all principal officers, directors and stockholders. If there are more than 20 stock holders, only those owning or controlling 10% or more of the voting stock need to be listed. If necessary, attach an additional sheet of paper.
- ✘ If any stockholder is another legal entity, that entity must also complete a separate LLC, Corporation or Limited Partnership Questionnaire.
- ✘ If more than one stockholder is a legal entity, include a flow chart that shows the relationship of the legal entities.
- ✘ Server Education Designee: if you are applying for a license that allows customers to drink alcohol at the business, the corporation must select a person, the server education designee, to take an OLCC-approved Alcohol Server Education class. This person must have the authority to set standards and policies for alcohol servers.
- ✘ The form must be signed by at least one corporate officer.
- ✘ The license investigator will verify with the Secretary of State's office that your business entity has the authority to do business in Oregon.

■ Limited Liability Companies (LLC)

Limited Liability Company Questionnaire

- ✘ List all members of the LLC and identify which member is the managing member. If you need additional space to list the members, attach a separate sheet of paper. If any member is another legal entity, that entity must also complete a separate LLC, Corporation or Limited Partnership Questionnaire.
- ✘ If more than one member is a legal entity, include a flow chart that shows the relationship of the legal entities.
- ✘ Server Education Designee: if you are applying for a license that allows customers to drink alcohol at the business, the LLC must select a person, the server education designee, to take an OLCC-approved Alcohol Server Education class. This person must have the authority to set standards and policy for alcohol servers.
- ✘ The form must be signed by at least one member of the company.
- ✘ Your license investigator will verify with the Secretary of State's office that your business entity has the authority to do business in Oregon.

■ Limited Partnerships

Limited Partnership Questionnaire

- ✎ List all partners and identify each partner as a general partner or a limited partner.
- ✎ If you need additional space to list the partners, attach a separate sheet of paper.
- ✎ If any partner is another legal entity, that entity must also complete a separate LLC, Corporation or Limited Partnership Questionnaire.
- ✎ If more than one partner is a legal entity, include a flow chart that shows the relationship of the legal entities.
- ✎ Server Education Designee: If you are applying for a license that allows customers to drink alcohol at the business, the limited partnership must select a person, the server education designee, to take an OLCC-approved Alcohol Server Education class. This person must have the authority to set standards and policy for alcohol servers.
- ✎ The form must be signed by at least one partner of the partnership.
- ✎ Your license investigator will verify with the Secretary of State's office that your business entity has the authority to do business in Oregon.

Section 3: Additional information about applying for a license

■ Law Orientation

All persons applying for a license must complete an OLCC law orientation before a license or a temporary authority to operate will be issued. Law orientation information for your area will be mailed to you when your application packet is accepted.

- ✎ If you are applying as a **Limited Partnership**, only the general partners must complete the law orientation.
- ✎ If you are applying as a **corporation or LLC**, you must designate a person to complete the law orientation. This person must have the authority to set alcohol sales policies for the business.

OLCC may waive the law orientation requirement if you have recently completed it. Contact your designated OLCC representative if you have questions.

■ Temporary Authority to Operate

If you are buying a business that has a current (not expired) OLCC license and are applying for the same type of license, or if you are applying for an Off-Premises Sales license, you **may** receive a 90-day Temporary Authority to Operate. This authority allows you to operate for up to 90 days while your application is pending.

To qualify for the Temporary Authority to Operate:

- ✘ You must pay the license fees. Contact your local office for details.
- ✘ All applicants who will directly participate in operation or management of the business must have completed an OLCC law orientation.
- ✘ New outlet Off-Premises Sales license applicants must provide proof of zoning.

■ Local Government Recommendation

After your license application is accepted by OLCC, we will return a copy of your completed Liquor License Application form. You must take this form to your local government for a recommendation. If your business is located:

- Within city limits contact the city government for directions on submitting the application for a recommendation.
- Outside of city limits contact the county where your business is located for directions on submitting the application for a recommendation.
- Most local governments charge a fee for this recommendation and some may require you to fill out additional forms. The local government will give you a receipt as proof that you have submitted your application; you must return a copy of that receipt to the OLCC.
- The local government has 45 days from the day they receive your application to make a recommendation to the OLCC or to request additional time (up to 45 additional days) to investigate the application.

CAUTION: Any delay in taking your application to your local government will delay your license, since OLCC takes the local government recommendation into consideration before deciding to issue a license.

■ Responsible Vendor Program

Licensees who make retail alcohol sales may apply for OLCC's Responsible Vendor Program (RVP). Licensees who certify that they meet specific alcohol sales practices and provide employee training qualify for this program. Responsible vendors **may** be eligible for reduced sanctions if their employees mistakenly sell alcohol to a minor or fail to properly check a minor's ID before selling alcohol.

The RVP application form will be mailed to you after your license is issued. Call the OLCC Compliance Office Specialist for details at 503-872-5125 in the Portland metro area, or toll free at 1-800-452-6522, ext. 5125.

■ Oregon Lottery

Oregon allows retail licensees to offer state-sponsored gambling, including video poker, Keno, Megabucks, Powerball, and scratch-offs. If you are buying a business that offers Oregon Lottery games or if you intend to have lottery games at your new business, contact the Oregon Lottery Commission for an application packet at Oregon Lottery, PO Box 12649, Salem, OR 97309-0649 or call 1-800-766-6789.

Note: It is especially important to contact the Lottery Commission before you apply for an OLCC license if you are buying a business that already has Oregon Lottery games or if your business plan depends upon lottery revenue. Call the Lottery Commission to find out if you qualify for temporary approval to operate Lottery games.

■ Oregon Secretary of State, Oregon Corporation Division

All businesses must register with the Oregon Secretary of State and meet other state requirements. Contact the Oregon Secretary of State, or go to their Web site at www.sos.state.or.us for details.

Applicants who are applying as a legal entity, corporation, limited partnership or Limited Liability Company, must register with the Oregon Corporation Division before applying for a liquor license. Contact them at Oregon Corporation Division, attention: Business Registry Manager, Public Service Building, 255 Capitol St. NE, Suite 151, Salem, OR 97310-1327 or call their general information line: 503-986-2200, business registry line: 503-986-2200 ext. 3, or business registry fax: 503-378-4381.

■ Oregon Department of Agriculture

The Oregon Department of Agriculture's Food Safety Division requires a license if you currently or are planning to manufacture, warehouse, or sell (at retail) beer, wine, or distilled spirits. For more information please call 503-986-4720 or visit www.oregon.gov/ODA/FSD/contact_us.shtml (case sensitive).

■ TTB Taxes

The Federal Alcohol and Tobacco Tax and Trade Bureau (TTB) requires alcohol retailers, wholesalers, producers, importers, brewers and manufacturers to pay a special occupational tax that ranges from \$250 to \$1,000 per year per location. A pro-rated tax is due before you start business.

You may obtain tax forms and instructions on the TTB Web site, or by contacting the TTB at PO Box 371962, Pittsburgh, PA 15250, or call 503-326-6596; toll free at 1-800-937-8864. For additional forms or more information on TTB taxes and federal regulations, go to www.ttb.gov.

■ Contact/Help Information

Additional copies of licensing forms and other OLCC materials are available electronically on the OLCC Web site. For more information about the licensing process, call your local OLCC office (listed on the following page of this guide). The main OLCC office, which serves Clackamas, Columbia, Hood River, Multnomah, Tillamook, Washington counties (Clatsop & Tillamook for licensing issues), is located at 9079 SE McLoughlin Blvd., Portland, OR 97222-7355. The mailing address is PO Box 22297, Milwaukie, OR, 97269-2297. The phone number is 503-872-5070.

Additional information is located on the OLCC Web site at www.oregon.gov/olcc.

OLCC FIELD OFFICES

and the counties they serve

BEND

2146 NE 4th Street
Suite 160
Bend, OR 97701
541-388-6292/388-6299

Counties: Crook, Deschutes, Harney,
Jefferson, Wheeler

COOS BAY

500 Central
Mailing: PO Box 1176
Coos Bay, OR 97420
541-266-7601

Counties: Coos, Curry

EUGENE

927 Country Club Road, Suite 200
Eugene, OR 97401
541-686-7739

Counties: Benton, Lane

KLAMATH FALLS

107 South 7th
Klamath Falls, OR 97601
541-883-5600/883-5601

Counties: Klamath, Lake

MEDFORD

15 Crater Lake Ave.
Medford, OR 97504
541-776-6191/776-6154

Counties: Jackson, Josephine

PENDLETON

State Office Building
700 SE Emigrant St., Suite 140, #12
Pendleton, OR 97801
541-276-7841

Counties: Baker, Grant, Gilliam, Malheur,
Morrow, Sherman, Umatilla, Union,
Wallowa, Wasco

ROSEBURG

251 NE Garden Valley Blvd.
Suite A-3
Roseburg, OR 97470
541-440-3362

County: Douglas

SALEM

200 Hawthorne Ave SE, Suite B-210
Salem, OR 97301
503-378-4871/378-3512

Counties: Linn, Marion, Polk, Yamhill

WARRENTON

65 N. Hwy. 101, Suite 200
PO Box 967
Warrenton, OR 97146
503-861-3912

Counties: Clatsop, Tillamook (Compliance
Issues)



OREGON LIQUOR CONTROL COMMISSION

9079 SE McLoughlin Blvd.
Portland, OR 97222-7355

Mailing address:
PO Box 22297
Milwaukie, OR 97269-2297

1-800-452-OLCC (6522)

www.oregon.gov/olcc

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