



State of Arizona Department of Liquor Licenses and Control Licensing Process FAQs

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Who must apply for a liquor licenses?

Any person who intends to manufacture, sell or deal in liquor in the state of Arizona. An application for an original license or transfer of ownership for an existing license must be filed with the Department of Liquor Licenses and Control along with an application fee of \$100 which is not refundable.

What are different types of liquor license ownership?

- a) **Individual (not an entity):** this person must be a U.S. citizen or a legal resident alien, and a bona fide Arizona resident. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- b) **General Partnership (not an individual):** each partner must be a U.S. citizen or a legal resident alien, and a bona fide Arizona resident. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- c) **Limited Partnership (not an individual):** all general partners are required to meet the qualifications for an individual. All limited partners are not required to be Arizona residents. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- d) **Corporate General Partnership (not an individual):** each corporate partner must be qualified to do business in Arizona. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- e) **Corporation (not an individual):** it must be qualified to do business in Arizona. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- f) **Limited Liability Company:** it must be qualified to do business in Arizona. The license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- g) When the applicant is a club, the license must be held in the name of a designated agent who meets the requirements of an individual licensee.
- h) **Joint Tenancy (J.T.W.R.O.S.):** each person must meet the requirements of an individual licensee (A.R.S. §4-202).
- i) **Club:** the license must be held in the name of a designated agent who meets the requirements of an individual licensee.

What information will I need to complete the application?

- a) the type of ownership,
- b) the type of license,
- c) the applicants name,
- d) the name of all partners for corporate general partnerships,
- e) a list of officers, directors and stockholders who own 10% or more of the business if applicant is a corporation,
- f) the designation of the person who will manage the licensed premises (this person must meet the requirements of an individual licensee),
- g) a questionnaire completed by the applicant(s), manager(s), and controlling person(s) and the fingerprinting fee,
- h) a fingerprint card completed by the applicant(s), manager(s), and controlling person(s) and the fingerprinting fee,
- i) floor plans and diagrams designating areas where liquor will be produced, stored, and provided on the licensed premises,

- j) the retail applicant's sworn statement that the premises, at the time the license application is received by the director, is not within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through twelve (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building.

The above paragraph DOES NOT apply to:

- a) Restaurant license (A.R.S.§4-205.02)
- b) Hotel/motel license (A.R.S.§4-205.01)
- c) Government license (A.R.S.§4-205.03)
- d) Fenced playing area of a golf course (A.R.S.§4-207 (B)(5))
- k) license transfer and interim permit applications must include a license surrender authorization signed by the current licensee. In addition, the current, valid (not expired) liquor license must be attached to the application (A.R.S. §4-202).

Who cannot be issued a liquor license in Arizona?

The Department of Liquor Licenses and Control will conduct a background investigation of all applicants. A license will not be issued or renewed to any person who;

- a) within five (5) years prior to application, has been convicted of a felony or of any offense in another state that would be a felony in Arizona,
- b) within one (1) year prior to application has had a liquor license revoked,
- c) at the director's request, fails to provide complete financial disclosure statement(s) for financial holdings for them self and/or any other person with interesting the license which includes all co-signers on financial holdings, land, buildings, leases and/or other forms of indebtedness which the applicant has incurred (A.R.S. §4- 202).

What other documents will be required for me to complete the application process?

- a) all paperwork included in the application kits created by license type,
- b) proof of Arizona residency (driver's license or voter registration card),
- c) if you are born outside of the United States, include one of the following forms which proves your citizenship or alien status:
 - Certificate of Naturalization,
 - U.S. Passport,
 - Permanent Resident Alien card,
 - Other proof of legal alien residency.
- d) the ability to verify corporate status with the Arizona Corporation Commission,
- e) a menu and restaurant operation plan for restaurant (series 12) and hotel/motel with restaurant (series 11) applications,
- f) recommendation from the local government (city, town or municipality),
- g) payment of local government licensing fees,
- h) satisfactory completion of background investigation(s),
- i) payment of final issuance fees.

What mistakes commonly interfere with the application process?

- a) retail liquor license will not be issued for any premises which do not comply with A.R.S. §4-202,
- b) liquor licenses will not be issued for a location which was rejected within twelve (12) months of the date on the document stating rejection,
- c) an application which is incomplete.

What are the steps and timeframes in the approval process?

The approval process normally takes sixty-five (65) to one hundred five (105) days once a complete application has been filed. The Department of Liquor Licenses and Control files your application once it is deemed complete. When an application is not complete, it is returned to the applicant with specific instructions to assist in the satisfactory completion the application. Once an application is filed, the approval process steps are as follows:

- a) the Department of Liquor Licenses and Control will send two (2) copies of the completed application to one of the following local governing bodies;
 - the clerk of the city or town in which the proposed licensed premises will be located,
 - the clerk of the County Board of Supervisors if the proposed business will be located outside of a city or town, the copies will be sent to,
 - the governing body of the reservation and an "information only" copy to clerk of the County Board of Supervisors for that county if the proposed business will be located on a sovereign Indian reservation,
- b) the clerk of the local governing body will post one (1) copy of the application on the front of the proposed licensed premises for twenty (20) days,
- c) the appropriate local governing body will hold a meeting and must either approve, disapprove or offer a "no recommendation" decision on the application. This action must take place within sixty (60) days of the filing of the application. While the local governing body is processing the application, the Department of Liquor Licenses and Control conducts the background check(s),
- d) if the application is:
 - approved at the appropriate local governing body level, and
 - no written protests have been received by the Department of Liquor Licenses and Control, and
 - there is not objection by the director of the Department of Liquor Licenses and Control, the application will be approved.
- e) if the local governing body;
 - disapproves the application, or
 - offers a "no recommendation", or
 - if protests have been filed with the Department of Liquor Licenses and Control, the application must be set for a hearing before the State Liquor Board.
- f) hearings may be conducted by the board or a designated hearing officer. The purpose of a hearing is to consider all evidence and testimony in favor of or opposed to the granting of a liquor license. The applicant for a new license bears the burden of demonstrating his or her "capability, qualification, and reliability". In addition, the applicant for a new license bears the burden of demonstrating that the granting of a license is in "the best interest of the community". In a person-to-person transfer of a liquor license, the applicant of a new liquor license need only prove his or her "capability, qualification, and reliability". In a location-to-location transfer of a liquor license, the applicant of a new liquor license need only prove that the license is in "the best interest of the community".

The decision by the board to grant or deny an application will normally take place within one-hundred five (105) days after the application has been filed unless the director of the Department of Liquor Licenses and Control deems it necessary to extend the time period.