



LICENSE APPLICATION INSTRUCTIONS AND REQUIREMENTS

Arizona Dept. of Liquor Licenses and Control
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LICENSE APPLICATION INSTRUCTIONS AND REQUIREMENTS

A.R.S. §§ 4-201, 4-202

DEPARTMENT OF LIQUOR WILL NOT ACCEPT AND PROCESS INCOMPLETE APPLICATIONS.

PLEASE BE ADVISED THAT AN APPLICATION DOES NOT GUARANTEE THE ISSUANCE OF A LIQUOR LICENSE.

CITY, TOWN OR COUNTY MAY REQUIRE ADDITIONAL LICENSES OR PERMITS FOR YOUR BUSINESS. PLEASE VERIFY LOCAL REQUIREMENTS PRIOR TO FILING AN APPLICATION WITH THE STATE.

**Please have the Agent available for contact during the application process.
The average time for processing the application is 75 to 105 days. Expect processing delays if:**

- **Public and/or Department Protest.**
- **Local Governing Body recommends Disapproval.**
- **Local Governing Body requests an extension on time to submit their Recommendation.**

APPLICATION REQUIREMENTS

Required Forms and Check List:

- **Completed Application for Liquor License** (complete in black ink) Choose correct application based on the Type of License you are applying for and the Type of Ownership you have.
- **Questionnaire** The Questionnaire should be completed entirely. Attach a signed statement for all questions answered YES on page 2 of the Questionnaire. Please note: substantive changes to the Questionnaire will not be accepted after the Application for Liquor License has been accepted.
- **Arizona Statement of Citizenship or Alien Status for State Public Benefits** (this is to be completed by the Agent or Individual Owner only).
- **Fingerprint Card** (for person(s) being disclosed with a Questionnaire) There is a \$22.00 fee for each card submitted (one per person).
- **Records Required for Audit Form** (for Restaurant Series 12 and Hotel/Motel Series 11 Liquor Licenses only).
- **Hotel/Motel Applicants** that manage/operate the property for the hotel/motel entity must submit with the liquor license application the contract to manage/operate the hotel/motel. If the contract discontinues for any reason, the applicant must notify the Department of Liquor within 30-days after the contract ends.
- **A valid Certificate of Completion for the Basic /Management Title 4 (Arizona liquor law) Training** (issued within the past three (3) years) The Agent or Owner actively involved in the day-to-day operations of the business and all Managers that are disclosed to the Department are required to submit a valid Certificate of Completion for the Basic /Management Title 4 (Arizona liquor law) Training. This should be submitted within 60 days from the time the Application for Liquor License was accepted by the Department of Liquor.

ISSUANCE OF LIQUOR LICENSE

Before the Issuance of Liquor License is granted, the following must be completed, received and approved:

- Local Governing Body (city, town, county) recommendation for approval. The Department of Liquor must wait fifteen (15) days from the date of the recommendation before reviewing the Application for Issuance. A.R.S §4-201 (E).
- Background clearance
- Site Inspection (for Restaurant Series 12 and Hotel/Motel Series 11 Liquor Licenses only)
- Copy of a valid Certificate of Completion for the Basic/Management Title 4 (Arizona liquor law) Training, if not received at the time of application.

Final issuance fees are required at the time of issuance (see fee chart).

INTERIM PERMIT

If you are applying for an Interim Permit, there must be a current (not expired) same series type of Liquor License at the business location. Complete Section 5 of the Application for Liquor License. This section needs to be signed by either the Agent or Owner of the current Liquor License and notarized. Attach the current (not expired) Liquor License of the current business (current Licensee at location) to the Application for Liquor License. Interim Permit fee is \$100.00.

PERSON-TO-PERSON TRANSFER

This only applies to Bar (Series 6), Beer and Wine Bar (Series7) and Liquor Store (Series 9) Liquor Licenses. Complete person to person Section of the Application for Liquor License. (This section is to be completed, signed and notarized by the Owner(s) as noted on the original Liquor License.) Person-to- Person Transfer Application fee is \$100.00.

LOCATION TRANSFER

This only applies to Bar (Series 6), Beer and Wine Bar (Series7) and Liquor Store (Series 9) Liquor Licenses. Attach a copy of the Bill of Sale of ownership. Attach a copy of the Liquor License purchased. Location Transfer Application fee is \$100.00.

ARIZONA STATE LIQUOR STATUTES AND/OR RULES

It is required that all applicants be familiar with current Title 4 (Arizona liquor law) and Arizona Administrative Code Title 19 (Arizona liquor rules).

AGENT

A person who is designated by the Applicant or Licensee to receive communications from the Department and to file and sign documents for filing with the Department on behalf of the Applicant or Licensee. The Agent is required to be a U.S. Citizen and bonafide resident of Arizona.

MANAGER

The Manager is required to be a U.S. Citizen and bonafide resident of Arizona. If the Manager is born outside of the United States, proof of citizenship must be attached to the Questionnaire. All managers actively involved in the day-to- day operations of the business are required to complete and submit a Questionnaire, Fingerprint Card and copy of Certificate of Completion for Basic and Management Title 4 Training (issued within the past three (3) years). Question 21 of the Manager's Questionnaire must be completed by an Owner or Agent listed at the bottom of page 2 of the questionnaire.

TYPE OF OWNERSHIPS AND REQUIRED DOCUMENTS TO SUBMIT:

INDIVIDUAL

The person applying must be a U.S. Citizen or Legal Resident Alien and a bona fide Arizona Resident. The forms required are Questionnaire, Arizona Statement of Citizenship or Alien Status for State Public Benefits form, front and back copy of document showing proof of citizenship (current signed U.S. Passport, Birth Certificate or current Arizona Driver's License), and Fingerprint Card.

CORPORATION

A Corporation must be qualified to Do Business in Arizona and be in Good Standing with the Arizona Corporation Commission. At least three Officers and all Stockholders owning 10% or more of the Corporation must be disclosed. Each person disclosed is required to submit a completed Questionnaire and Fingerprint Card.

PARTNERSHIP

All General Partners are required to be a U.S. Citizen or Legal Resident Alien and a bona fide Arizona Resident. Limited Partners are NOT required to be a U.S. Citizen or Legal Resident Alien and a bona fide Arizona Resident. Each Partner is required to submit a completed Questionnaire and Fingerprint Card. Partnerships can consist of Individuals, Corporations, Trusts or Limited Liability Companies (LLC).

- If a Corporation is a General Partner, it must meet the requirements for a General Partner by filing with the Arizona Corporation Commission in order to do business in Arizona. It must disclose the Officers and any Stockholders owning 10% or more of the Corporation. Each person disclosed is required to submit a completed Questionnaire and Fingerprint Card.
- If an LLC is a General Partner, it must meet the requirements for a General Partner by filing with the Arizona Corporation Commission in order to do business in Arizona. It must disclose all Managing Members regardless of percentage (%) owned, and Members owning 10% or more of the LLC. Each person disclosed is required to submit a completed Questionnaire and Fingerprint Card.
- If a Trust is a Partner, the Trustee of the Trust is required to submit a completed Questionnaire and Fingerprint Card.

LIMITED LIABILITY COMPANY

A Limited Liability Company (LLC) must be qualified to do business in Arizona and be in good standing with the Arizona Corporation Commission. All managing members regardless of percentage (%) owned, and Members owning 10% or more must be disclosed. Each person disclosed is required to submit a completed Questionnaire and Fingerprint Card.

JOINT TENANT WITH RIGHTS OF SURVIVORSHIP (J.T.W.R.O.S.)

Joint Tenant with Rights of Survivorship means that a number of applicants can own 100% equal shares. Qualifications are the same as for Individual ownership (must be a U.S. Citizen or Legal Resident Alien and a bona fide Arizona Resident). All applicants are required to submit a completed Questionnaire and Fingerprint Card.

TRUST

A Trustee is normally appointed to represent the Trust. If there are multiple Trustees, at least one (1) Trustee is required to submit a completed Questionnaire and Fingerprint Card. Trustees must be 21 years of age. The Trustee must be a U.S. Citizen or Legal Resident Alien and a bona fide Arizona Resident.

CLUB

Private Clubs (American Legion, VFW, Elks, etc.) are required to submit a copy of the Club Charter, and a completed Questionnaire and Fingerprint Card from four (4) members (officer). Qualifications are the same as a Corporation.

TRIBE

Indian Tribes are required to submit a completed Questionnaire and Fingerprint Card from at least three (3) officers.

GOVERNMENT

Government licenses are for Cities and County organizations. Officers are **not** required to submit a Questionnaire and Fingerprint Card. The Agent and/or designee on the Liquor License is required to submit a completed Questionnaire and Fingerprint Card. (see A.R.S. §4- 205.03).

ADDITIONAL INSTRUCTIONS:

PROBATE/WILL ASSIGNMENT/DIVORCE DECREE

Assignees are required to submit a completed Questionnaire and Fingerprint Card. Attach a certified copy of the Will, Probate distribution instrument, Death Certificate, or Divorce Decree that specifically distributes the Liquor License to the Assignee on the Application.

HOW TO MEASURE THE DISTANCE TO THE NEAREST SCHOOL AND CHURCH:

The licensed location may not be within 300 feet of a school or church, with exception to Liquor License Series:

- Restaurant (12),
- Special Event (15),
- Hotel/Motel with restaurant (11),
- Government (5), and
- the fenced playing area of golf course (various).

300 feet is measured using a straight line from:

- a) the closest structural wall of a school or church and the closest structural wall of the liquor-licensed business; OR
- b) the closest structural wall of liquor-licensed business to the closest boundary of outdoor recreational area; AND
- c) parking lots are not considered part of the liquor-licensed property nor part of the school or church property.

FINGERPRINTS

Fingerprints can be taken by any law enforcement agency or bona fide private fingerprinting service. The Department of Liquor and FBI-approved fingerprint (blue lined) cards are accepted. A photo ID will be required for fingerprint services. On-site fingerprinting is offered at the Department of Liquor. When using the fingerprinting services with the Department of Liquor, the following is required at time of fingerprinting:

- A photo ID
- Completed Questionnaire
- Liquor License number (if a new Application for Liquor License is being submitted, fingerprinting will not be done unless the Application for Liquor License can be processed.

FINGERPRINT NOTIFICATION AND DISCLOSURE: Your fingerprints will be used to check the criminal history records of the FBI. If you have a criminal history record, the officials making a determination of your suitability for the liquor license must provide you the opportunity to complete or challenge the accuracy of the information in the record. You should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before officials deny you the Liquor License based on information in the criminal history record. The procedures for obtaining a change, correction, or updating of your FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR), Section 16.30 through 16.34. Information on how to review and challenge your FBI criminal history record can be found at www.fbi.gov under Criminal History Summary Checks or by calling (304) 625-3878. To obtain a copy of your Arizona criminal history in order to review/update/correct the record, you can contact the Arizona Department of Public Safety Criminal History Records Unit at (602) 223-2222 to obtain a fingerprint card and a Review and Challenge packet. Information on the review and challenge process can be found on the DPS website (www.dps.gov).

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. This section may be enforced in a private civil action and relief may be awarded against the state. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

E. A state employee may not intentionally or knowingly violate this section. A violation of this Section is cause for disciplinary action or dismissal pursuant to the agency's adopted personnel policy.

F. This section does not abrogate the immunity provided by Section 12-820.01 or 12-820.02.