
NEW YORK STATE LIQUOR AUTHORITY

APPLICATION
for

PERMISSION TO MAKE ALTERATIONS SECTION 99D (A.B.C.)

CONTENTS

- Instructions for completing forms
- Application Forms

DIRECTIONS FOR COMPLETING THIS LICENSE APPLICATION

- Must be **TYPED** or **PRINTED**. (In blue or black ink)
 - Complete applicable forms **FULLY**.
 - Follow instructions carefully.
-

S.L.A. ZONE OFFICES:

ZONE 1

State Liquor Authority
317 Lenox Ave.
New York, New York 10027
Telephone: 212-961-8385

ZONE 2

State Liquor Authority
Alfred E. Smith Building
80 So. Swan Street, Suite 900
Albany, New York 12210-8002
Telephone: 518-474-7604

ZONE 3

State Liquor Authority
Iskalo Electric Tower Building
535 Washington Street, Suite 303
Buffalo, New York 14203
Telephone: 716-847-3035

WHERE DO I MAIL MY APPLICATION?

The State Liquor Authority maintains three Zone Offices. Mail your application to the office that supports the county where you will establish your business.

ZONE 1

State Liquor Authority
317 Lenox Ave.
New York, NY 10027
Phone #(212) 961-8385
Fax #(212) 961-8283

- * Bronx
- * Kings
- * New York
- * Queens
- * Richmond

ZONE 2

State Liquor Authority
80 S. Swan Street
Suite 900
Albany, NY 12210-8002
Phone #(518) 474-3114
Fax #(518) 473-2286

- * Albany
- * Clinton
- * Columbia
- * Delaware
- * Dutchess
- * Essex
- * Franklin
- * Fulton
- * Greene
- * Hamilton
- * Herkimer
- * Jefferson
- * Lewis
- * Madison
- * Montgomery
- * Nassau
- * Oneida
- * Onondaga
- * Orange
- * Oswego
- * Otsego
- * Putnam
- * Rensselaer
- * Rockland
- * St. Lawrence
- * Saratoga
- * Schenectady
- * Schoharie
- * Suffolk
- * Sullivan
- * Ulster
- * Warren
- * Washington
- * Westchester

ZONE 3

State Liquor Authority
535 Washington St.
Buffalo, NY 14203
Phone #(716) 847-3035
Fax #(716) 847-3435

- * Allegany
- * Broome
- * Cattaraugus
- * Cayuga
- * Chautauqua
- * Chemung
- * Chenango
- * Cortland
- * Erie
- * Genesee
- * Livingston
- * Monroe
- * Niagara
- * Ontario
- * Orleans
- * Schuyler
- * Seneca
- * Steuben
- * Tioga
- * Tompkins
- * Wayne
- * Wyoming
- * Yates

ALTERATION

**STATE OF NEW YORK
LIQUOR AUTHORITY**

**APPLICATION FOR PERMISSION
TO MAKE ALTERATIONS**

THIS APPLICATION MUST BE FILED WITH THE APPROPRIATE ZONE OFFICE OF THE STATE LIQUOR AUTHORITY IN WHICH THE LICENSED PREMISES ARE SITUATED.

This application must be accompanied by the following:

1. Plan or diagram on paper not more than 8 1/2" x 11" in size, showing the present layout of the premises.
2. Plan or diagram on paper not more than 8 1/2" x 11" in size, showing the proposed alterations.
3. If changes to the front of the premises are proposed, an elevation or diagram on paper not more than 8 1/2" x 11" in size of the proposed front of the premises. If desired, the front elevation plan may be incorporated on the plan showing the proposed alterations.
4. Submission of financial documentation proving the availability of the funds listed under Estimated Cost of Alteration that may include but are not limited to three (3) consecutive months worth of bank statements from checking or savings accounts showing the availability of the funds at the time that they were expended. The bank statements must show the name of the bank, account number and the name and address of account holder. Proof of financial documentation may also include any loan agreements as stated in the Source of Funds Used to Pay for Alterations.
5. Proof of Notice to the Municipality/Community Board, by means of the State Liquor Authority's form, submitted to the Municipality/Community Board via Certified Return Receipt at least 30 days before filing the Alteration Application. Proof of Notice is a copy of the completed Form as well as the original return receipt. The notice form is available on our website at www.abc.state.ny.us.
6. Photos of the area to be altered as it appears when filing the Alteration Application.
7. Submission of an updated establishment questionnaire if there are any substantial alterations to the licensed premises or if an outside area or an additional bar is being added to the licensed premises. The establishment questionnaire may be found in the retail application on our website at www.abc.state.ny.us.
8. If application the submission of a building permit or café permit or a letter from the municipality waiving this requirement.

NO FEE IS REQUIRED.

CHECK ONE

- Substantial Alteration:** Any enlargement or reduction of a licensed premises. Any physical change to the exterior, that involves the creation or relocation of any window or door, and any interior change of physical structure. Any change in size or location of a bar or dining and kitchen facilities.
- Minor Alteration:** One costing and valued at less than ten thousand dollars, which does not affect the material character or physical structure that existed at the time of licensing.

The licensee named below hereby requests the permission of the Liquor Authority for the Alteration of the licensed premises set forth below.

| | | | | | |
|---------------------------------|--|---------------------------------|--|--------------------|--|
| Full Name of Applicant-Licensee | | Trade Name or other designation | | License Serial No: | |
| Street address of premises | | | Post Office address, City, Town or Village-Zip Code of premises (if different) | | |
| City, Town or Village-Zip Code | | County | | Telephone No. | |
| E-Mail Address (if available) | | | | | |
| Estimated Cost of Alteration: | | | Source of Funds Used to Pay for Alterations: | | |

1. List proposed alterations: (Describe all changes fully. If more space is needed, attach additional sheets).

- 2 (a) State whether additional space is being added or eliminated. _____
- (b) If added, give size, location and use of space. _____
- (c) Is a building permit required in your location (City, Town, Village)? _____
 (Answer "Yes" or " No")
 If answer is yes, give permit number and issuing municipality as well as submit a copy of the permit: _____
 (Number) (City, Town, Village)
- (d) If additional space is added, give name of landlord & terms of lease, if applicable _____

Alcoholic beverages may not be kept or sold in any added space until the Alteration is approved.

- 3. Will any entrance or exit of premises as altered be within 200' of the entrance to a school, church or synagogue or other place of worship? _____
 (Answer "Yes" or "No")
- 4. (a) State whether there is a change in address. (If the address of the premise has changed since the last application, submit a written explanation or letter from the Post Office as well as an Endorsement Application to amend the address). _____
 (Answer "Yes" or "No")
- (b) If so, give eliminated address and/or additional address. _____
 (Eliminated Address)

 (Additional Address)

5. TO BE ANSWERED BY ON-PREMISES LICENSEE ONLY

| | Present | Proposed |
|----------------------------|---------|----------|
| Seating Capacity at tables | _____ | _____ |
| Total Length of Bar | _____ | _____ |

This permission, as granted herein, is VOID if not completed in 90 days unless the time is extended by this Authority. Such request must be made in writing. There may be no deviation from the items approved herein without written permission of this Authority.

THE FOLLOWING CERTIFICATION MUST BE SIGNED AND DATED BY SOLE PROPRIETOR AND EACH MEMBER OF PARTNERSHIP

The undersigned, each for himself, certifies that he is the applicant above named; that he knows the contents of the above application and the statements contained therein and the same are true of his own knowledge. The undersigned also certifies that they will meet all local code requirements of the municipality in which the premises is located and obtain any necessary permits required of him in order to perform the alteration within the boundaries of the law.

DATED _____

 (Signature of sole proprietor or of each partner)

THIS CERTIFICATION TO BE SIGNED AND DATED BY A CORPORATION

_____, certifies that he is _____
 (Title)

of the above named applicant corporation; that he knows the contents of the above application and the statements and answers therein; that the same are true of his knowledge; that he has been authorized, by order of the Board of Directors of said applicant corporation to make the statements and answers in this application in behalf of said applicant corporation with the same force and effect as if said corporation made such statements and answers itself. The undersigned also certifies that they will meet all local code requirements of the municipality in which the premises is located and obtain any necessary permits required of him in order to perform the alteration within the boundaries of the law.

DATED _____

 (Signature of authorized officer)

ENTRY RECORD (To be made by State Liquor Authority)

Zone: _____ County: _____ Serial: _____ Class: _____ Deposit Date: _____ Slip No: _____
 Audited By: _____

ACTION BY LIQUOR AUTHORITY : APPROVED _____ DISAPPROVED _____ BY _____ DATE: _____

ALTERATIONS TO LICENSED PREMISES
INSTRUCTIONS FOR SUBMITTING APPLICATIONS

SEC. 99-d (A.B.C. Law)

Except as hereinafter provided, no licensee shall make any physical change or alter a licensed premises without applying to and receiving permission from the State Liquor Authority.

1. Before any **SUBSTANTIAL ALTERATION** to a licensed premises may be undertaken by or on the behalf of any licensee except a Farm Winery, the licensee shall apply to the State Liquor Authority for permission to do so.

A substantial alteration shall include any enlargement or contraction of a licensed premises;

- (A) Any physical change to the exterior of the licensed premises that involves the creation or relocation of any window or door, or reduces the visibility that existed at the time of licensing.
- (B) Any physical changes in the interior that materially affect the character of the premises or physical structure that existed at the time of licensing.
- (C) **In the case of establishments licensed for On- Premises Consumption:**

Any enlargement or reduction of the dining or kitchen facilities or any change in the size or location of any bar from which alcoholic beverages are served shall be deemed a substantial alteration.

2. **MINOR ALTERATION:** Shall be deemed to be one costing and valued at less than ten thousand dollars, which does not affect the material character or physical structure that existed at the time of licensing.

Before commencing work on the alteration the licensee must request permission to effect such minor alteration and shall submit an affidavit, in person or by certified mail – return receipt requested, on forms prescribed by the Authority that includes, but is not limited to:

- (A) A description of the proposed alteration.
- (B) The cost and value of the alteration, and
- (C) The source of the monies used to pay for the alteration.

After receiving the affidavit, the State Liquor Authority will have twenty days to review the proposed alteration. If there is any objection, the Authority will notify the licensee by certified mail. If no objection is made within the twenty days after reviewing the necessary forms, it shall be deemed that permission has been granted. Work may commence on the alteration if no objection is received by the twenty-fifth day after filing.

3. **COST OF ALTERATION:** for the purpose of the Alcohol Beverage Control Law, the cost of the alteration shall be the total sum spent to complete the proposed alteration, excluding professional fees.