

# PERMIT

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## NEW YORK STATE LIQUOR AUTHORITY

APPLICATIONS  
for

## ALCOHOLIC BEVERAGE CONTROL MISCELLANEOUS PERMITS

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- Instructions for completing forms
- Application Forms
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### DIRECTIONS FOR COMPLETING THE PERMIT APPLICATIONS

- Must be **TYPED** or **PRINTED**.(In blue or black ink)
  - Complete applicable forms **FULLY**.
  - Follow instructions carefully.
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**Completed applications and any supporting information should be mailed to:**

**NEW YORK STATE LIQUOR AUTHORITY  
PO BOX 3796  
NEW YORK, NY 10008-3796**

# PERMIT

## MISCELLANEOUS PERMITS

This application must be filed with the State Liquor Authority office that supports the county where you will establish your business. See attached schedule.

A permit may be issued for any of the following types of activities. Please read the description of the permits and their conditions **carefully**.

**BANKING/TRUST COMPANY - FEE \$ 36.00. Complete questions 1 through 4, and 11, 12, 13, 14, 15, 15A, 21 and signature sheet.** Authorizes a bank or trust company organized under the banking law or a foreign banking corporation licensed by the superintendent of banks of this state or a banking corporation organized under the laws of the United States and doing business in this state to sell warehouse receipts pertaining to alcoholic beverages which it accepted as collateral security for a loan to a licensee, and which it acquired through default in payment of such loan under the following conditions:

1. The warehouse receipts issued for the storage of liquor or wine in bulk will be sold and delivered only to duly licensed manufacturers or wholesalers.
2. Warehouse receipts issued for the storage of liquor and/or wine in the original sealed containers, not exceeding one quart each of liquor or 15 gallons each of wine, will be sold only to duly licensed wholesalers and retailers.
3. The duplicate permit or a photostat copy thereof will be delivered to each purchaser.
4. A statement, signed by the applicant, listing the name of the company which issued the warehouse receipts, the certificate numbers, serial number and gallonage of each barrel or case of alcoholic beverage represented by such receipts and the place where such alcoholic beverage is stored must accompany the application. Such permit shall be valid for one transaction only.

**BOTTLING - FEE \$4,820.00 (3 Years) Non-Licensee. Complete questions 1 through 10, and 13, 13A and signature sheet.** Authorizes the permittee to *bottle* liquor manufactured outside the State of New York or wine produced in a foreign country and received in this State in bulk, and as an incident thereto, filter or clarify such wine or liquor. Such permit **shall not authorize** the rectification, blending or reduction in proof of any alcoholic beverage. If the applicant is not licensed by the State Liquor Authority, such bottling may be performed for, or on behalf of, wholesale liquor or wine licensees or for persons authorized to sell liquor and/or wine at wholesale pursuant to the laws and regulations of any other State, on the premises stated in the permit or in a United States customs bonded warehouse for which a warehouse permit has been issued under this chapter.

**A licensed NYS Liquor or Wine Wholesaler-FEE \$ 1,460.00 (3 Years)** may conduct no operation other than bottling, recasking, filtering or clarifying under the permit applied for herein, and that such operations will be performed only on the premises of a United States Customs bonded warehouse or in a foreign trade zone established pursuant to federal law, for which premises a warehouse permit has been issued by the Liquor Authority.

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**FIRE INSURANCE / SALVAGE CO. - FEE \$ 30.00. Complete questions 1, 2, 3, 4, 12, 13, 14 and signature sheet.** Authorizes a fire insurance or salvage company under the supervision of the N.Y. State Dept. Of Insurance to sell to licensees alcoholic beverages which came into its possession as a result of a fire on licensed premises under the following conditions:

1. The alcoholic beverages will be sold and delivered only to duly licensed manufacturers, wholesalers and retailers.
2. The sale will be held only on licensed premises or premises for which a warehouse permit has been issued by the Liquor Authority.
3. The alcoholic beverages will not be stored at the place of sale in excess of 48 hours after the date of sale.
4. Only alcoholic beverages in the original sealed containers which comply with the provisions of law with respect to labels and sizes of containers will be sold.
5. The duplicate permit or a photostat copy thereof will be delivered to each purchaser.
6. The permittee will pay all excise taxes imposed by or under the provisions of the Tax Law.
7. A SEPARATE PERMIT MUST BE OBTAINED FOR EACH LICENSED PREMISES FOR WHICH A FIRE OCCURRED.

The application must be accompanied by:

- A) A typewritten inventory, signed by the applicant, listing the sealed containers of alcoholic beverages to be sold and stating quantity, type, brand name and the size of the containers.
- B) An affidavit, signed by the applicant, setting forth the quantity and the disposition made or to be made of the non-salvageable alcoholic beverages damaged by the fire.

**LIENOR – Complete questions 1, 2, 3, 4, 11, 13, 14, 15, 21 and signature sheet.** Authorizes a WAREHOUSEMAN, RAILROAD COMPANY, STEAMSHIP COMPANY, or OTHER PERSON who has acquired a lien pursuant to the law for the storage or carriage of alcoholic beverages, to sell such alcoholic beverages to a licensee under the following conditions:

1. The alcoholic beverages will be sold and delivered only to duly licensed manufacturers, wholesalers and retailers.
2. The sale will be held on premises for which a warehouse permit has been issued.
3. The alcoholic beverages will not be stored at the place of sale in excess of 48 hours after the date of sale unless stored in the name of the purchaser.
4. Only alcoholic beverages in the original sealed containers which comply with the provisions of the law

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with respect to labels and sizes of containers will be sold.

5. The duplicate permit or a photostat copy thereof will be delivered to each purchaser.
6. The permittee will pay all excise taxes imposed by or under the provisions of the Tax Law.
7. Such permit shall be valid for one transaction only.

The application must be accompanied by a typewritten list, signed by the applicant, listing the alcoholic beverages to be sold, stating quantity, type, brand name and size of the containers.

**LIQUIDATOR'S PERMIT - FEE \$ 36.00. Complete questions 1 through 9, and 12, 12A, 19, 20, 21 and signature sheet.** Authorizes the licensee who is selling or liquidating their business and who proposes to dispose of the stock of alcoholic beverages in connection with such sale under the following conditions:

1. The alcoholic beverages will be sold and delivered only to manufacturers, wholesalers and retailers duly licensed by the State Liquor Authority.
2. The duplicate permit or photocopy will be delivered to each purchaser.
3. The permittee will pay all excise taxes imposed by or under provisions of the Tax Law.
4. License must be surrendered or placed in safekeeping before permit can be issued.

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**THIS PERMIT IS VALID FOR ONE TRANSACTION ONLY**

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**HOTEL OFF-PREMISES - FEE \$ 325.00 (2 Years). Complete questions 1 through 10, and 18, 19, 20 and signature sheet.** Authorizes a Hotel, situated in a town or village, licensed to sell liquor and wine for on-premises consumption to sell liquor and wine at retail, to be consumed off the premises. (This permission shall not be granted if an off-premises license has been granted for premises located within 8 miles of such hotel). The applicant must submit the following information with the application:

- A) The four (4) licensed package stores nearest the applied for premises, irrespective of the distance between the stores and the applied for premises and the county in which such stores are located.
- B) Each H.O.P. permittee located within a radius of eight (8) road miles of the applied for premises.

The applicant hereby certifies that the statements and answers contained herein are true of his own knowledge; he also agrees that should the Liquor Authority require the same, he will furnish on demand and at his own cost a survey prepared by a registered or licensed surveyor, engineer or architect setting forth the exact distance between the premises hereinabove applied for and any retail liquor and/or wine stores designated by the Liquor Authority.

**SHERIFF, MARSHAL, RECEIVER, ETC. - FEE \$ 36.00. Complete questions 1, 2, 3, 4, 11, 12, 13, 14, 15, 15A and signature sheet.** Authorizes permittee to sell alcoholic beverages which came into applicant's

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possession pursuant to judicial process, subject to the following conditions:

1. The alcoholic beverages will be sold and delivered only to manufacturers, wholesalers and retailers duly licensed by the Liquor Authority.
2. The alcoholic beverages will be delivered directly to the purchaser and will not be stored at the place of sale in excess of 48 hours after date of sale.
3. Only alcoholic beverages in the original sealed containers which comply with the provisions of law with respect to labels and sizes of containers will be sold.

The duplicate permit or photostat copy thereof will be delivered to each purchaser.

4. This permittee will pay all excise taxes imposed by or under the provisions of the Tax Law.

The application must be accompanied by:

- A) A copy of the execution, if a marshal or sheriff; certified copy of the court order authorizing such sale, if a trustee or receiver in bankruptcy or assignee for the benefit of creditors; certified copy of letters testamentary or administration, if an executor or administrator.
- B) A typewritten inventory, signed by the applicant, listing the alcoholic beverages to be sold, stating quantity, type, brand name and the size of the containers.

Such permit shall be valid for one transaction only.

**PLENARY MISCELLANEOUS** ( CLASS PM –613 (Annual) or CLASS MC-736 (One time) )- **Complete questions 1 through 9, and 19, 20, 21 and signature sheet.** This permit (under Section 99-b) Authorizes permittee to purchase, receive or sell alcoholic beverages or receipts, certificates, contracts or other documents pertaining to alcoholic beverages, in cases not otherwise expressly provided for by this chapter, when in the judgement of the Liquor Authority such would be appropriate and consistent with the purpose of this chapter under the following conditions:

1. Only alcoholic beverages in the original sealed containers which comply with the provisions of law with respect to labels and sizes of containers will be sold.
2. The permittee will comply with the rules and regulations of the State Tax Dept.
3. The application must be accompanied by a detailed description of the alcoholic beverage to be purchased or sold.

**PLENARY MISCELLANEOUS- STORAGE OFF SEASON** ( CLASS MX –612)- **Complete questions 1 through 9, and 19 20, 21 and signature sheet.** This permit, issued under Section 99-b of the Alcoholic Beverage Control Law, allows the permittee to store, on the licensed premises, alcoholic beverages owned by the holder of a seasonal license after the expiration of the license period, in anticipation of using such alcoholic beverages in the following seasonal license period.

***The fee for this permit is \$20.00 plus a \$10.00 filing fee for any quantity up to and including twenty cases of***

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*twelve bottles each, and a separate permit shall be required for each twenty cases or fraction thereof.*

**HOMEMADE WINE TASTING EVENTS** (CLASS WH – 713) This permit (issued under Section 99-b(1)(k) and authorizes a not-for-profit organization to conduct a tasting and/or competition for wines made by non-licensed individuals for personal or family use (homemade wines), provided however:

1. That the permit shall be in effect for a period not to exceed six hours within the hours fixed by or pursuant to subdivision 5 of section 106 of the Alcoholic Beverage Control Law;
2. That only one such permit shall be issued to the not-for-profit organization during any calendar year;
3. That the not-for-profit organization submit a security plan deemed sufficient by the Licensing Bureau giving the location and size of the event. Such plan shall include adequate supervision of the event at all times;
4. That, whether conducted on its own or as part of a larger event, the tasting and/or competition shall be held indoors and confined to a clearly defined area and no one under the age of 21 shall be permitted in such area;
5. That no permit shall be issued for a location that is licensed under the Alcoholic Beverage Control Law;
6. That there will be no charge to attendees of the event, either for the wine tastings or for admission into the event. Voluntary donations or charges for food, souvenirs, etc., are permissible.

The applicant will be required to provide a security plan and a statement indicating that they will comply with the above conditions. These documents should be attached to the application at the time of filing.

**INSTITUTION OF HIGHER EDUCATION PERMIT** (CLASS HE-615) **Complete questions 1 through 4, 7 through 9, 12, 13, 13B, 15B, 23 and signature sheet.** This permit authorizes an institution of higher education operating under authority granted by the state education department, to deliver or cause to be delivered alcoholic beverages to a person who is at least twenty-one years of age enrolled in a single class or course of classes authorized by the institution of higher education and conducted by an instructor or instructors engaged by the institution of higher education, provided that such person's imbibing or tasting of such alcoholic beverages is a required part of the class or course of classes, and provided that such person's imbibing or tasting of such alcoholic beverages is only for instructional purposes.

**A description of the course must accompany the application along with the appropriate fee. You may apply for an annual permit for a fee of \$256.00 with a \$20.00 filing fee or a one-time permit for a fee of \$26.00 with a \$10.00 filing fee.**

**If alcoholic beverages are to be stored in an area other than the room where the class will be held, you must apply for a warehouse permit (see instructions below).**

**All alcoholic beverages must be purchased from a New York State licensed Wholesaler.**

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**RECONDITIONING - FEE \$ 26.00. Complete questions 1 through 14 and 19, 20, 21 and signature sheet.**

This one day permit authorizes permittee to recondition liquor and/or wine manufactured outside of the State of New York, and as an incident thereto, to filter, clarify, rebottle, label, relabel or repack such liquor or wine subject to the following conditions:

1. Such permit is valid for ONE DAY ONLY and shall authorize the permittee to recondition only liquor purchased in sealed containers not exceeding one (1) quart and wine in sealed containers not exceeding 15 gallons. Such reconditioning shall be done only on the licensed premises of the licensee, or in a warehouse for which a warehouse permit has been issued by the State Liquor Authority.

In the event more than one day will be required to complete the reconditioning, this application may be issued for the issuance of as many permits as may be required.

**SALE OF WINE AT RETAIL (WHOLESALE) - FEE \$ 125.00. Complete questions 1 through 12 and signature sheet.** Authorizes a wholesale liquor or wine licensee for a certificate authorizing the sale of wine at retail to a regularly organized church, synagogue or religious organization for sacramental purposes.

**SALE OF WINE AT RETAIL (WINERY) - FEE \$ 145.00. Complete questions 1 through 12 and signature sheet.** Authorizes a winery for a certificate authorizing the sale of wine at retail to a regularly organized church, synagogue or religious organization for sacramental purposes, and to a householder for consumption in his home.

**SUPPLIER PERMIT – Complete questions 1 through 10, 12, 12A, 13, 15, 20, 23 and signature sheet.** Authorizes an Unlicensed Out of State Supplier or a Licensed In State Supplier to do tastings (using product from the applicants' or wholesaler's inventory); to take orders for and /or to forward orders to licensed wholesalers; and to market product in accordance with the provisions of the Consent Orders. The supplier will need to apply for a transportation permit, or contract with a company that has a transportation permit, in order to transport the alcoholic beverages to the event site. An out of state supplier will have to submit a copy of their state issued license along with this application.

**You may apply for an annual permit for a fee of \$256.00 with a \$20.00 filing fee or a one-time permit for a fee of \$90.00 with a \$10.00 filing fee.**

**WAREHOUSE - FEE \$788.00 (3 Years).** The State Liquor Authority may issue a warehouse permit in such form as prescribed by its rules, for the storage of alcohol beverages in other than licensed premise;

Warehouse Permits CAN NOT be issued to persons licensed under Section 54 and 54-A of the Alcohol Beverage Control Law, *EXCEPT* under the following conditions.

- **WG-WAREHOUSE PERMIT:** may be issued for the storage of private label brand or brands of beer for which the licensee is the registered owner, or for a brand of beer that the licensee is the exclusive retail seller in the state; or

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- **SW-RETAIL WAREHOUSE PERMIT:** to a licensee that owns no licensed premises with more than 2,500 square feet of retail space per premises and employs no more than five people on each premises during any period of operation. No more than five such permits may be issued by the Authority on a statewide basis.
- If you qualify for a WG or SW permit, you must submit SLA FORM L.D. 13 in conjunction with your application for a warehouse permit.

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## Warehouse Permit Certification ABC Law Section 54 and 54-a Licensees

Legislation was passed during the 1995 session which prohibits the issuance of warehouse permits to those persons licensed pursuant to Section 54 and 54-a of the Alcoholic Beverage Control Law except under certain circumstances.

**Effective January 1, 1996**, you must meet either of the following conditions to qualify for a warehouse permit:

**PLEASE CHECK THE APPROPRIATE BOX(ES).**

- |                          |           |   |
|--------------------------|-----------|---|
| <input type="checkbox"/> | <b>WG</b> | <b>Warehouse Permit:</b> That the warehouse can be used only for the storage of a private brand label of beer for which the licensee is the registered owner, or for a brand or brands of beer for which the licensee is the exclusive retail seller in the state; or |
| <input type="checkbox"/> | <b>SW</b> | <b>Special Retail Warehouse Permit:</b> That no licensed premise owned by a licensee can have more than 2,500 square feet of retail space and no licensee can employ more than five (5) people on each premise during any period of operation.                        |

If you qualify, please complete this form and submit it in conjunction with an application for a Warehouse Permit.

This certification must be signed by the licensee affirming that the answers and statements made herein are true to his own knowledge.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
License Number