



INSTRUCTIONS

PLEASE READ THE FOLLOWING INFORMATION CAREFULLY AND FOLLOW THE INSTRUCTIONS. PRINT OR TYPE LEGIBLY. ANY INCOMPLETE, ILLEGIBLE OR INACCURATE INFORMATION WILL RESULT IN THE PACKAGE BEING RETURNED TO YOU.

- 1) Complete the application for City Privilege License, application for beer and wine license and affidavit.
- 2) Complete the TOP PORTION ONLY of the "Local Government Opinion Form 001."
- 3) Complete the TOP PORTION ONLY of the "Inspections Report for Building and Zoning Compliance."

Bring the completed forms along with a check for \$390.00 made payable to "City of Asheville" to:

Public Works Facility
161 South Charlotte Street
Building Safety Dept., Room A-101.

If the premises has received a Certificate of Compliance within the past 6 months for new construction or major renovation, the fee is \$75.00.

We will distribute the forms and coordinate the approval process with the City Departments concerned.

When all of the Departments have responded, we will call you to pick up your package so that you may hand deliver it to A.L.E. We will also tell you the amount due for your City Privilege License and your beer and wine license. You will need to bring another check for that amount when you pick up your package.

If you have any questions you may call our office at (828) 259-5846.

To assist us, please complete the required information below, cut off and return with the other applications.

Business Name: _____

Physical Address of Business: _____

Local Contact Person's Name: _____

Mailing Address: _____

Daytime Telephone Number: () _____

**** PLEASE NOTE****

CITY OF ASHEVILLE APPROVAL PROCESS TAKES APPROXIMATELY 15 BUSINESS DAYS.

CITY OF ASHEVILLE
PO BOX 7148 – ASHEVILLE NC 28802
PHONE (828) 259-5846 - FAX (828) 259-5676

PRIVILEGE LICENSE APPLICATION

Office Use Only*

Date issued: _____

Renewal dates: _____

*valid for 1 year; annual renewal required

(PLEASE PRINT CLEARLY)

Date of Application _____

1. Name of Business _____

2. Owner(s) of Business _____

3. Business Physical Address _____

City

State

Zip

4. Business Mailing Address _____

City

State

Zip

5. Business Phone # () _____; Emergency # () _____; Email Address: _____

6. Type: _____ Sole Proprietorship _____ Partnership _____ Corporation _____ LLC _____ Branch _____ Chain

7. Description of Business: _____

8. If Applicable, Contractor License No. _____ and/or employer identification no. _____

9. Gross Receipts \$ _____ Estimated _____ OR you may use 20__ Tax Return _____

10. Have you registered to become certified through the NC Office of Historically Underutilized Business as a woman or minority owned business? (American Indian, Hispanic American, Asian American, African American, or Female-**circle any that applies**)

_____ Yes _____ No _____ N/A _____ Please contact me

Under penalty of perjury, hereby certify that I have the authority to act on behalf of the business named herein and to submit this application;(if owner's agent, attach a copy of the written authorization), that all representations made herein are true and correct; that I am familiar with the financial records of the business and that the gross receipts as shown herein are taken directly from the 20_ reported income tax return to the NC Department of Revenue Sales and Use Tax Division or if in operation for less than 1 year, based upon an estimate of gross receipts as defined herein

Applicant Printed Name

Applicant Signature

Date

CITY OF ASHEVILLE
PO BOX 7148 – ASHEVILLE NC 28802
PHONE (828) 259-5846 - FAX (828) 259-5676

PRIVILEGE LICENSE APPLICATION
Instructions and Acknowledgement

I understand that being issued a privilege license **does not** by itself make my operation or business legal pursuant to the City Code. I understand that I may need to get additional permits and/or approvals from other City Department's prior to starting my business. I also acknowledge that the issuance of a privilege license does not allow me to engaging in activity prohibited by the City of Asheville's Code of Ordinances.

Businesses that require other licenses include but are not limited to:

Vending on public property in the Central Business District, Biltmore Historic District, office or business districts, a person must also have a pushcart permit, outdoor dining area permit or outdoor merchandise permit to do business (including performing services) on the public sidewalk or public property. The pushcart permits are issued in the Development Services Center, 161 S. Charlotte Street.

Vending on private property will require a temporary use permit issued in the Development Services Center, 161 S. Charlotte Street.

Doing business on private property may also require a zoning permit issued in the Development Services Center, 161 S. Charlotte Street.

Your business or operation, depending on the equipment or upfits to the interior, may be required to comply with the state building and fire codes and be required to obtain a building or fire permit issued in the Development Services Center, 161 S. Charlotte Street.

Persons buying precious metals are required to get a permit issued by the Asheville Police Department pursuant to N.C.G.S. § 66-164 et al.

Going out of business sales are required to get a closing permit in accordance with N.C.G.S. §66-76 et al., from the City Clerk.

This acknowledges receipt of the City of Asheville Privilege License Application Instructions and Acknowledgement Form.

Applicant Printed Name

Applicant Signature

Date

Important Notice

If you are the owner of a convenience store, hotels**, motels**, concession stand, department store, any other similar business, when reporting your gross receipts, please check below the classifications which apply to your business and do not include sales for these classifications in your gross receipt amount reported on your affidavit

- Beer Sales
- Wine Sales
- Ice Cream
- Sandwiches
- Sodas
- Cigarettes
- Auto Supplies
- Gasoline
- Music Merchandise
- Bicycles
- Video Games
- Video Movies

**Hotels and motels please provide number of rooms _____.

CITY OF ASHEVILLE

APPLICATION FOR LICENSE TO SELL BEER AND/OR WINE

(Pursuant to General Statue 105-13.80)

Date _____

Manager's Name and Address: _____

Name of Business: _____

Applying for License to Sell:

____ Beer-On Premises \$15.00

____ Beer-Off Premises \$5.00

____ Wine-On Premises \$15.00

____ Wine-Off Premises \$10.00

I am a United States citizen and a resident of the State of North Carolina. I am over twenty-one (21) years of age, am a good moral character, and have not been convicted of a felony involving moral turpitude within the past three (3) years, or adjudged guilty of violating the prohibition laws, either State or Federal within the last two (2) years prior to filing this application. I have been a bona fide resident of North Carolina for the preceding _____ years.

I hereby agree this license is applied for will be conducted under my immediate supervision.

Signature of Applicant

OFFICE USE Only

Approval _____

Date _____

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

4307 MAIL SERVICE CENTER
RALEIGH NC 27699-4307
(919) 779-0700 FAX: (919) 662-3583
www.ncabc.com

INSPECTION/ZONING COMPLIANCE

IMPORTANT: The Applicant will complete SECTION A, below. SECTION B through SECTION E, below, are to be completed by the appropriate Inspection/Zoning Official. To request inspections and zoning certifications, please contact the city or county building and fire inspection and zoning departments for your area. Failure to submit this form in a timely manner to these local authorities may result in delays in processing of an ABC permit application. This form must be completed by the building, fire and zoning officials before a permit will be issued

SECTION A - APPLICANT TO COMPLETE

Name of Applicant _____
Trade Name of Business _____
Address of Business _____
City _____ County _____
Phone # () _____

SECTION B - BUILDING INSPECTOR TO COMPLETE

Building Code:

Building is in - Compliance Non-compliance* Not Applicable

Building Inspector's Name (printed) and Signature _____

Phone # () _____ Date of Inspection _____

SECTION C - FIRE INSPECTOR TO COMPLETE

Fire Code:

Building is in - Compliance Non-compliance* Not Applicable

Fire Inspector's Name (printed) and Signature _____

Phone # () _____ Date of Inspection _____

SECTION D - ZONING OFFICIAL TO COMPLETE

Zoning:

Business is in - Compliance Non-compliance* Not Applicable

Is business located in an Urban Redevelopment Area (Article 22 of Chapter 160A) Yes No

If "Yes", has establishment been given notice that it is in an Urban Redevelopment Area and must comply with the requirements of N.C.G.S. 18B-309 Yes No

Zoning Classification _____

Permitted uses in this zone _____

Zoning Official's Name (printed) and Signature _____

Phone # () _____ Date of Inspection _____

**NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL COMMISSION**

4307 Mail Service Center
Raleigh, NC 27699-4307
(919)779-0700 FAX: (919)662-3583

**LOCAL GOVERNMENT OPINION
for ALCOHOLIC BEVERAGE PERMITS**

APPLICANT SHOULD COMPLETE THIS SECTION ONLY

Applicant's Name _____
Corporate or LLC Name (if applicable) _____
Trade Name of Business _____
Former Trade Name (if any) _____
Business Address _____
City/State _____
Date of Birth _____
NC Driver's License # _____
Last 4 of Social Security # _____

TYPE OF ABC PERMIT(S) BEING APPLIED FOR:

_____ On Premise
Indicate Type (if any)

_____ Off Premise
Indicate Type (if any)

REMAINDER OF FORM FOR OFFICIAL USE ONLY

Date Form 001 Mailed or Delivered _____
Designated Official's Name _____
Title _____
City/County _____
Address _____
Contact Telephone # _____

NOTICE: The Alcoholic Beverage Control Commission shall give notice of a permit application to the Governing body of a city or county prior to issuing a retail ABC permit. Designated Officials are expected to process this form within 15 days of receipt. The applicant will be required to provide proof of mandatory compliance with all applicable building and fire codes. The Inspection/Zoning Compliance form (Form 002) is for this purpose and will be completed by the appropriate local agencies.

FACTORS IN ISSUING A PERMIT: Pursuant to N.C.G.S. 18B-901(c), before issuing a permit, the ABC Commission shall be satisfied the applicant is a suitable person and that the location is a suitable place.

PLEASE INDICATE YOUR ANSWER TO THE FOLLOWING:

Do you approve of the applicant and location for the ABC permit?

YES _____ Applicant _____
Location _____ NO _____ Applicant _____
Location _____

Disapprovals: Pursuant to N.C.G.S. 18B-901 (b), to be considered by the ABC Commission, the objections shall state the facts upon which it is based. If you have indicated disapproval by answering "NO", please explain your reason(s) based on the factors outlined in N.C.G.S. 18B-901(c) on the attached page. Use extra sheets if additional space is required and attach all records and/or documents used to arrive at your decision. The mere indication of "NO" without an explanation is an insufficient basis for rejection and cannot be considered by the Commission.

Signature of Designated Official Date

Title of Designated Official

State of North Carolina
_____ County

_____ Being duly sworn says that the contents of the foregoing Local Government Opinion are true to his/her own knowledge, except as to matters stated on information and belief, and as to those matter(s) he/she believes them to be true.

Sworn to and subscribed before me this:

_____ Day Month Year

(Notary Public's Signature)

18B-901(c)

Factors in Issuing Permit

Before issuing a permit, the Commission shall be satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. To be a suitable place, the local governing body shall return a Zoning and Compliance Form to the Commission on a form provided by the Commission to show the establishment is in compliance with all applicable building and fire codes and, if applicable, has been notified that it is located in an Urban Redevelopment Area as defined by Article 22 of Chapter 160A of the General Statutes and as required by G.S. 18B-904(e)(2). Other factors the Commission shall consider in determining whether the applicant and the business location are suitable are all of the following:

- (1) The reputation, character, and criminal record of the applicant.
- (2) The number of places already holding ABC permits within the neighborhood.
- (3) Parking facilities and traffic conditions in the neighborhood.
- (4) Kinds of businesses already in the neighborhood.
- (5) Whether the establishment is located within 50 feet of a church, public school, or any nonpublic school as defined by Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.
- (6) Zoning laws.
- (7) The recommendations of the local governing body.
- (8) Any other evidence that would tend to show whether the applicant would comply with the ABC laws.
- (9) Whether the operation of the applicant's business at that location would be detrimental to the neighborhood, including evidence admissible under G.S. 150B-29(a) of any of the following:
 - a. Past revocations, suspensions, and violations of ABC laws by prior permittees related to or associated with the applicant, or a business with which the applicant is associated, within the immediate preceding 12-month period at this location.
 - b. Evidence of illegal drug activity on or about the licensed premises.
 - c. Evidence of fighting, disorderly conduct, and other dangerous activities on or about the licensed premises.