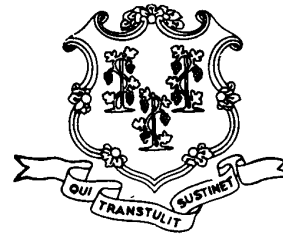


STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
Liquor Control Division

Telephone: (860) 713-6200

Email: dcp.liquorcontrol@ct.gov

Website: <https://portal.ct.gov/DCP/Agency-Administration/Division-Home-Pages/Liquor-Control-Division>



INSTRUCTIONS AND INFORMATION:
Gift Basket Retailer Liquor Permit Application

PLEASE READ ALL INSTRUCTIONS AND INFORMATION BEFORE COMPLETING APPLICATION. APPLICATION WILL NOT BE ACCEPTED IF INCOMPLETE OR IF ANY REQUIRED DOCUMENT IS MISSING.

Fees and Form of Payment:

The total filing fee of \$300.00 for Gift Basket Retailer liquor permit is required for successful submission of this application. Checks and/or money orders should be made payable to “*Treasurer, State of Connecticut*” and must accompany this application. **The application filing fee of \$100.00 is included in the total filing fee and is not refundable.**

The Application Process

Once we are in receipt of your complete and correctly executed application and filing fee, a Liquor Placard will be emailed to you with additional instructions for public notification. **The placarding process is critical to application approval. A placarding error can delay a permit approval at least two additional months. A Liquor Control Agent will then be assigned to your file and will contact you to begin the remainder of the new application process. If for any reason a Final Liquor Permit is not issued within a period of one year, you will be required to file another application.**

Provisional Permit

If you are interested in a provisional permit while your application is pending, please refer to the page entitled “Provisional Permit” in this application packet. A provisional permit is a 90-day renewal permit issued at the Department’s discretion while your application is pending. If you want the Department to consider your request for a provisional permit, you must pay a \$500 nonrefundable fee.

Definitions

Permittee – The permittee is the applicant for the liquor permit. The permittee is a person designated as the representative of the backer for the permit premises. The permittee must be able to read and understand English. The permittee can be the owner/backer of the business that holds the permit.

Backer – An individual or legal business entity that owns the business to which the liquor permit is issued.

Authorized Backer Representative – An individual who is legally authorized by the nature of the position held (i.e. corporate officer) in the business, or through a power of attorney to sign documents and make decisions related to the liquor permit.

****Section 30-45** of the Connecticut General Statutes prohibits the following individuals and officer holders from obtaining a liquor permit. Section 30-45 appears below and the prohibited individuals are noted. If you are a prohibited individual, you may not apply for a liquor permit.

CT General Statutes, Section 30-45: The Department of Consumer Protection shall refuse permits for the sale of alcoholic liquor to the following persons: (1) Any state marshal, judicial marshal, judge of any court, prosecuting officer or member of any police force, (2) a minor, and (3) any constable who performs criminal law enforcement duties and is considered a peace officer by town ordinance pursuant to the provisions of subsection (a) of section 54-1f, any constable who is certified under the provisions of sections 7-294a to 7-294e, inclusive, who performs criminal law enforcement duties pursuant to the provisions of subsection (c) of section 54-1f, or any special constable appointed pursuant to section 7-92. This section shall not apply to out-of-state shippers' permits, cafe permits issued pursuant to subsection (j) of section 30-22a and airline permits. As used in this section, "minor" means a minor, as defined in section 1-1d or as defined in section 30-1, whichever age is older.

APPLICATION INSTRUCTIONS AND DOCUMENTS REQUIRED FOR GIFT BASKET RETAILER LIQUOR PERMIT APPLICATION TO BE ACCEPTED

1. APPLICATION FOR GIFT BASKET RETAILER LIQUOR PERMIT

Complete all three pages of application. Every question must be answered, and all necessary approvals obtained (zoning and town clerk) If left blank, the application will not be accepted. If the question does not apply, enter the word “none”.

Completing the Application

Section A: Business Information

Item #1; #3 through #7 – Complete this section with type of permit selected, trade name and business information.

Item #2 - If you are applying for a provisional permit, please complete the Provisional Permit Agreement form included in this application package (see attached instructions and explanation)

Item #7 – The department will use the email address listed here as the preferred method to send most communications regarding your liquor permit application and file. **It’s very important to provide a working email address that will be checked regularly.**

*****Do not use a consultant’s or attorney’s email address. Use a personal or business address unique to you. This will be the email address linked to your elicense account and used to communicate with you about any issues with your permit after your application is final and permit issued. For example, we will send all future renewal notices and permits to this email address.*****

Section B: Approval of Local Officials

Items #8 and #9 need to be signed and completed by your local public officials. No applications will be accepted without local zoning approval and town clerk certification.

Section C: Permittee Applicant Information

Item #10 through #14 please enter name, address and contact information for permittee.

Section D: Preferred Mailing Address

Items #15 and #16 Indicate the preferred mailing address for all correspondence. If you would like correspondence mailed to an address other than the business or permittee home address, specify in #15 and #16. **Please Note: A majority of correspondence will now be emailed to the address listed in Section A, Item #7.**

Section E: Backer Information

Item #17 through #23 – Provide correct backer name in #18. Backer name is the **name** of the Limited Liability Company or Corporation that is registered with the Secretary of the State or the individual name of the Sole Owner that has not formed a LLC or Corporation or the individual names of a Partnership that has not formed a LLC or Corporation, etc.

Section F: Current or Previous Liquor Permits Held by Permittee, Backer

Item #24 through #26 – List current or previously held liquor permits. Include any permits held by permittee, backer, sole proprietor, partner or a member of a partnership organization, corporation, limited liability company etc., including by immediate family members. If there are none, check “NO” in #24a and #24b.

Section G: Certification of Permittee Applicant and Backer or Authorized Representative of Backer

Items #27 and #28 - The permittee listed in Section C #10 of the application must sign #27. The backer/owner listed in Section E or authorized backer representative must sign #28.

2. **FEE AND FORM OF PAYMENT:**

The total filing fee of \$300.00 is required for successful submission of this application. Checks and/or money orders should be made payable to “*Treasurer, State of Connecticut*” and must accompany this application. **The application filing fee of \$100.00 is included in the total filing fee and is not refundable.**

3. **SALES TAX NUMBER**

Submit copy of Connecticut Sales and Use Tax Permit, or copy of receipt as proof of filing from the Connecticut Department of Revenue Services.

3. **LEASE / DEED / EVIDENCE OF RIGHT TO OCCUPY**

Provide a copy of the lease. The tenant listed on the lease needs to be the backer entity indicated on the application. Any assignment needs to be the backer entity indicated on the application with written consent of the landlord. If the backer entity is the owner of the property, provide a copy of the deed or a town property record card for the property. If you cannot provide a lease or deed at the time of application, the Department would accept other documentation showing evidence of the intention of the right to occupy the property.

4. **AUTHORIZATION FOR RELEASE OF FINANCIAL INFORMATION AND STATEMENT OF PERSONAL HISTORY**

The applicant/permittee and backers (individuals, partners, general partner and limited partners in a limited partnership, officers, directors and limited liability company (LLC) manager/members in a LLC, corporate officers and stockholders) must complete an authorization for release of financial information and statement of personal history for each person.

5. **AUTHORIZATION OF THE BACKER LEGAL ENTITY FOR RELEASE OF FINANCIAL INFORMATION**

Only authorized individuals of the backer may sign on behalf of the entity.

6. **BACKER’S FINANCIAL STATEMENT**

Complete this form which is attached to the application.

7. **CORPORATIONS & L.L.C.**

Provide proof of filing of organization papers with the Connecticut Secretary of State. A printout verification from the C.O.N.C.O.R.D. system would be acceptable.

8. **PARTNERSHIP**

Provide partnership agreement if backer/owner is a formal partnership or limited partnership. If no agreement exists, provide a letter to that effect that there is no such agreement.

9. **FRANCHISE OR MANAGEMENT AGREEMENT**

Provide any franchise or management agreement if applicable.

10. CRIMINAL CONVICTION WORKSHEET

If the permittee or any member of the backer has a felony conviction, complete the Criminal Conviction Worksheet, pursuant to Section 46a-80(b) of Connecticut General Statutes. (*DCPLC-CHRO*)

11. SIGNED STIPULATION FOR NEW CONTRUCTION

If you are applying for a permit for a building that has not been constructed, you shall provide to the Department a signed stipulation setting forth a time limit for the construction and occupancy for the proposed permit premises. Please note that the date of filing an application, as defined in section 30-39(a) CGS, to the date of the issuance of a final permit shall not exceed one year, regardless of whether a provisional permit has been applied for, approved, or issued. After one year, a new liquor application will be required.

12. PHOTOGRAPHS

One 8” x 10” photo taken from a position directly across the street or highway (any photos smaller than this required size **will not be accepted**).

****Please Note****

- **Photos must be 8”x 10”.** The **applicant’s name**, **business address** and **date photo taken** shall be on the back of all photographs.
- For premises which has not been constructed, the submission of photographs are not required for the acceptance of a new application. (see #11)

ONCE THE APPLICATION IS RECEIVED AND ACCEPTED BY THE DEPARTMENT OF CONSUMER PROTECTION, ADDITIONAL DOCUMENTS AND/OR INFORMATION MAY BE REQUIRED OF YOU BY A LIQUOR CONTROL AGENT AS PART OF THE REVIEW AND INVESTIGATION PROCESS:

AFFIDAVIT OF SELLER’S UNPAID OBLIGATIONS

If a business or equipment was purchased from the previous permit holder, this form must be signed at the closing. This form can be found on our website <https://portal.ct.gov/DCP/Liquor-Control-Division/Liquor-Permit-Applications-and-Forms>

ABANDONMENT AFFIDAVIT

If the premises were abandoned by the previous permit holder/backer and did not receive any consideration from you, whether direct or indirect, this form will need to be completed. This form can be found on our website <https://portal.ct.gov/DCP/Liquor-Control-Division/Liquor-Permit-Applications-and-Forms>

PROVISIONAL PERMIT INFORMATION

The Department must investigate and verify every permit application to ensure the documents are complete and that the applicant and location are suitable for the requested permit. Additionally, nearly every permit requires a public notification period that can take several weeks to finish. In most instances, a final liquor permit may be issued by the Department within three to six months from the time the application is filed with the Department.

If you are applying for a liquor permit and you anticipate opening your business before the final permit will be ready, you may wish to consider requesting a provisional liquor permit at the time you submit your application. The provisional permit will allow you to sell and/or serve alcohol while your application for a final permit is pending. To request a provisional permit, complete the Provisional Permit Agreement Form and submit it (along with the fee, more information below) with your application. You may also request a provisional permit at any point during your application process by notifying your assigned agent and sending him or her a copy of the Provisional Permit Agreement Form.

A provisional permit may be requested even though the investigation into your application is not complete and the public notification period is ongoing. The Department has the discretion to grant or take no action on your provisional permit request, and may place certain conditions or require certain documents before issuing the provisional permit.

The fee for a provisional permit is \$500.00. This fee is in addition to the application fee and licensing fee for your final permit. **This fee must be paid before the Department will consider your provisional permit request. The fee is nonrefundable, even if the Department does not grant the provisional permit or you chose not to use the provisional permit after you apply.**

Your provisional permit is effective for 90 days but may be extended by the Department as long as you did not cause the delay. As your expiration date of the provisional permit approaches, email your assigned Liquor Control Agent to request an extension. Note that a provisional permit cannot be renewed past the one-year anniversary of your application. In other words, you must complete your application process within one year or else your application and your provisional permit will permanently expire.

If approved, you will be required to make cash payment for alcoholic liquor on any delivery from a wholesaler or manufacturer. However, the Department has the discretion to waive this requirement and allow wholesalers to extend credit to you while operating under a provisional permit. If you decide to request a provisional permit and wish to request a C.O.D. payment, please check the appropriate box on the Provisional Permit Agreement Form and provide the necessary documentation.

Below is the relevant statute and regulation.

Sec. 30-35b. Ninety-day provisional permit. The Department of Consumer Protection or Liquor Control Commission may, in the department's or commission's discretion, issue to any applicant, who makes a sworn application for a liquor permit under section 30-39, as amended by this act, and such applicant's backer, if any, a ninety-day provisional permit allowing such applicant and

backer to manufacture or sell, at retail, alcoholic liquor. If such applicant or backer causes any delay in the investigation conducted by the department pursuant to section 30-29, such ninety-day provisional permit shall immediately cease to be effective. The department or commission shall issue only one ninety-day provisional permit to any such applicant and applicant's backer for each location of the club or place of business which is to be operated under such permit. Such ninety-day provisional permit shall be nonrenewable, but may be extended due to delays not caused by the applicant. The department or commission shall not extend such permit beyond one year from the filing date as defined in section 30-29. The nonrefundable fee for such ninety-day permit shall be five hundred dollars.

Sec. 30-6-A36 (b). Period of credit No wholesaler shall provide credit to a permittee while under a provisional permit, unless otherwise approved by the department.