

THE PRESENTATION WILL START MOMENTARILY



# STEPS TO GETTING AN ALCOHOL LICENSE

June 8, 2021





# PRESENTERS

- Alcoholic Beverage Regulation Administration
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# AGENDA

- Agency Overview
- License Types and Available Applications
- New Application Process
- Application Submissions and Payments
- Final Notes
- Reminders and Resources
- Q&A

# AGENCY OVERVIEW





# AGENCY OVERVIEW

- The **Alcoholic Beverage Regulation Administration (ABRA)** is an independent agency within DC Government charged with supporting the public's health, safety and welfare through the control and regulation of the sale and distribution of alcoholic beverages and medical cannabis.
- ABRA operates under the authority of the **Alcoholic Beverage Control (ABC) Board**, made up of seven (7) DC residents nominated by the Mayor and confirmed by the DC Council. **Donovan Anderson** is the current ABC Board Chairperson.

# LICENSING

CLASS AND TYPES | ENDORSEMENTS | RENEWALS





# LICENSE TYPES & CLASSES

- **Off-Premises Retailer** | A store where alcoholic beverages may be purchased for off-site consumption only or an e-commerce business with no physical location that sells alcohol online.
  - **Off-Premises Retailer**
    - **Class A**—Spirits, beer, and wine
    - **Class B**—Beer and wine
  - **Internet Retailer**
    - **Class A**—Spirits, beer and wine
    - **Class B**—Beer and wine.
- **On-Premises Retailer** | An establishment where alcoholic beverages may be purchased and consumed onsite, including Restaurants (R), Taverns (T), Nightclubs (N), Hotels (H), B&Bs (B), and Multipurpose Facilities (X).
  - **On-Premises Retailer | Class C**—Spirits, beer, and wine
  - **On-Premises Retailer | Class D**—Beer and wine





# LICENSE TYPES & CLASSES

- **Manufacturer** | Operator of a plant that manufactures spirits, wine (includes cider), or beer.
- **Wholesaler** | Sells alcohol to other DC ABC licensees for resale.
- **Farmers Markets** | Allows manufacturers and wine, brew, and distillery pubs to operate as a vendor of the product it produces. The farmers market is the licensed entity.



# LICENSE TYPES & CLASS

- **Temporary** | Permits the sale and onsite consumption of alcohol for up to four (4) days at banquets, picnics, fairs or similar public gatherings.
- **Festival License** | Permits the sale and consumption of alcohol at sporting or performing arts events for up to 15 days.
- **Pub Crawl** | Permits the organization of events featuring the sale and service of alcohol at multiple ABC-licensed establishments within walking distance for 200+ persons.



# ENDORSEMENTS & PERMITS

- **Sidewalk Café** | Allows alcohol to be served and consumed outdoors on public space, such as a sidewalk. DDOT-approval is also required.
- **Summer Garden** | Allows alcohol to be served and consumed outdoors, including rooftops and courtyards, located on private property. Locations must be included in the Certificate of Occupancy.
- **Entertainment** | Allows licensees to provide live entertainment, such as a live band or singer, DJ, comedian, and trivia host; dancing; or to charge a cover. Licensees may apply for one or a combination of all three.

# ENDORSEMENTS

- **Pub** | Allows a hotel, multipurpose facility, nightclub, restaurant, or tavern to manufacture alcohol on or adjacent to its licensed premises, and sell the product for on-site consumption and to wholesalers and patrons in sealed containers for off-premises consumption.
- **Extended Holiday Hours** | Allows a hotel, multipurpose facility, nightclub, restaurant, or tavern to sell and serve alcohol until 4:00 a.m. and operate 24-hours a day during select holidays and events. Settlement Agreements apply.
- **Alcohol Carryout and Delivery** | Allows on-premises alcohol establishments to sell alcohol for carry-out and delivery to consumers located in the District between 6:00 a.m.-1:00 a.m., daily. All alcohol sales must be provided in closed or sealed containers and accompanied by at least one (1) prepared food item.



# ENDORSEMENTS

- **Games of Skill** | Allows manufacturers with an on-site sales consumption permit, restaurants, nightclubs, taverns, hotels, and multipurpose facilities to add up to five (5) electronic games of skill to their establishment.
- **Sports Wagering** | Allows licensees to add sports wagering devices or kiosks to their establishment. All licensees must also secure a Sports Wagering Operator license through OGL.
- **On-Site Sales and Consumption** | Allows manufacturers to sell and serve alcoholic products made at their facility for on-site consumption.
- **Tasting** | Allows manufacturers and off-premises retailers to provide customers alcohol samples on a portion of their licensed premises. Sample size maximums apply.

# SUBSTANTIAL CHANGES

- **Substantial Changes** are modifications that would substantially change the nature of operations, as previously approved by the ABC Board, including:
  - Alterations to the physical interior or exterior of the establishment
  - Increase in occupancy
  - Change in hours of operation, sales, service, and consumption
  - Adding any activity that requires an Endorsement or Permit, including dancing, live entertainment, cover charges, games of skill, sports wagering, tastings, or sidewalk café
- Before implementing any change in operations that could be considered a substantial change, complete and submit a **Substantial Change Application**.
  - Whenever in doubt, contact ABRA's licensing division.
  - Implementing changes without approval may result in fines and/or license suspension or revocation.



# LICENSE RENEWALS

- Licenses are valid for up to three (3) years and licenses of the same type expire on the same date regardless of the issuance date.
- License fees can be paid annually or for the entire licensure period. No refunds are issued if the license is cancelled.
- Licenses that are not renewed on time are subject to late fees--\$50 per business day, not to exceed the cost of the license—and/or suspension and revocation.



# LICENSE RENEWALS

- Completed renewal applications include the following:
  - A notarized signature by all ABC Board-approved officers;
  - Evidence of Good Standing with DCRA Corporations; and
  - A Certificate of Clean Hands ([www.mytax.dc.gov](http://www.mytax.dc.gov)) for both the entity and all ABC Board-approved officers.
- Upon submission of a completed renewal application, 45-day placards will be issued which must be posted at the establishment in a visible location.
  - The renewed license is not issued until either the placarding period ends or all protests are resolved.





# LICENSE RENEWALS

- Upcoming renewal deadlines:
  - **March 31, 2022** | Restaurants, Hotels, Multipurpose Facilities, Common Carriers, and Caterers
  - **September 30, 2022** | Taverns, Nightclubs, and Bed and Breakfasts
  - **Various** | ABC Manager (Every three (3) years from issuance date) | Farmers Market Class J and Class K (Annually from issuance date)
- The renewal and fee schedule is available at [abra.dc.gov/page/license-fees-and-renewal-schedule](https://abra.dc.gov/page/license-fees-and-renewal-schedule).

# APPLICATION PROCESS

THREE-STEP PROCESS | POTENTIAL DELAYS | APPLICATION REVIEW





# APPLICATION ACCEPTANCE

1. **Application Acceptance** | Licensing Specialist accepts the application, assesses the appropriate licensing fees, advertises the application, and prepares placards for posting at the establishment to be licensed.
- Documents that are required for acceptance:
    - Complete application package
    - All documents supporting the entity and individuals
    - Letter of Intent to Lease or Lease Agreement
    - Zoning Certification (Commercially Zoned)

# APPLICATION APPROVAL



2. **Application Approval** | After the 45-day notice period, applications that have not been protested go to the ABC Board for approval.

- Documents that are required for approval (if applicable):
  - Landlord Affidavit
  - Menu
  - Exterior pictures and interior diagram of layout
  - Police Clearances from all individuals (DC and jurisdiction in which applicant resides if outside of DC)
  - Diagrams or photographs of area designated for Summer Garden or Sidewalk Café
  - Security Plan



# LICENSE ISSUANCE

3. **License Issuance** | Licensing Specialist makes sure all documentation is complete, all appropriate business licenses and certificates are provided by the applicant and all entities and individuals are tax compliant before the license is issued.
- Documents that are required for issuance:
    - Certificate of Occupancy
    - DC Tax Registration
    - Business License
    - Clean Hands Certification
    - Final Inspection conducted by Enforcement



# POTENTIAL DELAYS

- To minimize delays:
  - Include current contact information—including email and phone number. Licensing Specialists must be able to reach you.
  - Triple-check that you have submitted ALL required supporting documentation from all relevant parties.
  - Be mindful of the ABC Board annual calendar and recess dates.
  - Proactively meet with your Advisory Neighborhood Commissioners (ANC) and surrounding community to address any potential concerns.

# APPLICATION



- [https://abra.dc.gov/sites/default/files/dc/sites/abra/publication/attachments/ABCLicenseApp\\_03.12.20AK.PDF](https://abra.dc.gov/sites/default/files/dc/sites/abra/publication/attachments/ABCLicenseApp_03.12.20AK.PDF)

# SUBMISSIONS AND PAYMENTS







# SUBMISSIONS AND PAYMENTS

- To submit your application:
  - Submit applications by mail, email ([abc@dc.gov](mailto:abc@dc.gov)), or place in our secure lobby drop box.
  - Sign documents using an electronic signature.
- To submit your invoices:
  - Pay annual license fee by check or credit card.
    - Checks (no starter checks), cashier's check, and money order, made payable to the D.C. Treasurer, may be included with mailed and dropped off renewals.
    - Credit card payments can be arranged by emailing [abc@dc.gov](mailto:abc@dc.gov). Provide your alcohol license number, trade name, first and last name, and daytime phone number. A licensing specialist will contact you on the provided number to process your payment.
- Do NOT include credit card information in any email.
- Do NOT include cash with any mailed or dropped off paper application. Cash is not an accepted form of payment.

# FINAL NOTES

DO YOUR HOMEWORK





# DO YOUR HOMEWORK

- Before applying for a license, consider the following:
  - **Zoning** | Some zones prohibit the issuance of a liquor license.
  - **Measurements** | Some new licenses issued must be within appropriate distances of churches, schools, and recreation centers.
  - **Incorporation** | Entities (Corp., LLC, LP) must be registered with the Department of Consumer and Regulatory Affairs' Corporations Division (DCRA).
  - **New Construction** | Appropriate permits must be issued. A liquor license can be approved prior to construction but not issued until all business licenses are provided.
  - **Criminal Background** | All licensees must be tax compliant and have no felony convictions within 10 years or misdemeanor convictions within 5 years\*.
    - The ABC Board reviews applications with a misdemeanor conviction on a case-by-case basis.

# REMINDERS & RESOURCES

RESOURCES | STAY CONNECTED





# RESOURCES

- **Quick Guides** | Brief synopsis of applicable laws and regulations by establishment type and other helpful content, such as alcoholic beverage classifications, security plans, and foreign identifications.
  - [abra.dc.gov/page/abc-quick-guides](https://abra.dc.gov/page/abc-quick-guides)
- **Info by Business** | Curated content by license type.
  - [abra.dc.gov/page/abc-licensing-info-and-forms-establishment-type](https://abra.dc.gov/page/abc-licensing-info-and-forms-establishment-type)
- **Moratorium Zone Look Up** | Before securing a location for an ABC establishment or submitting an alcohol license application, determine if the street address falls within an existing neighborhood moratorium.
  - [abra.dc.gov/page/abc-neighborhood-moratorium-zones](https://abra.dc.gov/page/abc-neighborhood-moratorium-zones)

# STAY CONNECTED



- **Staff** | ABRA's physical office remains closed to the public but staff is available to answer questions Monday-Friday, 8:30 a.m. - 4:00 p.m.
  - **Licensing** | [abc@dc.gov](mailto:abc@dc.gov) or (202) 442-4423
- **Social** |
  - **Facebook** | [facebook.com/ABRADC](https://facebook.com/ABRADC)
  - **Twitter** | [@DCGov\\_ABRA](https://twitter.com/DCGov_ABRA)
- **Last Call e-Newsletter and Email Alerts** | Subscribe to receive.

[abra.dc.gov/service/sign-abra-email-updates](https://abra.dc.gov/service/sign-abra-email-updates)

QUESTIONS?

