



Local Licensing Authority

TRANSFER OF OWNERSHIP APPLICATION

Information & Checklist

Description:

Whenever a business with a liquor license is purchased or ownership is transferred to a new legal entity, the new licensee may apply to transfer the existing license to the new person, organization, or entity as long as the license being transferred is active and in good standing at the time of application. Transfer applicants are eligible to apply for a Temporary Permit pending transfer that will allow the applicant to operate until the application is acted upon. A temporary permit must be applied for within 30 days of application for transfer of a license.

TRANSFERRING A LIQUOR LICENSE STEP-BY-STEP:

- STEP 1. Submit a complete application packet to the City of Longmont with correct fees to City and State**
- STEP 2. Provide any corrections/omissions noted by the Clerk after review & Clerk sets appearance date**
- STEP 3. Send Wholesaler Affidavits to vendors via Registered Mail**
- STEP 4. Schedule inspections (Building & Fire) (and pass them!)**
- STEP 5. Attend Local Licensing Authority Meeting (225 Kimbark St., Longmont)**
- STEP 6. Await State Review of the Application**
- STEP 7. Pick up your license from City Clerk's Office**

STEP 1. Submit a complete application packet to the City of Longmont with correct fees to City and State

What to know before submitting an application:

- ✓ The entire process takes *approximately* 120 days (from submittal to license issue)
- ✓ One (1) complete packet must be submitted to the City Clerk's Office, 350 Kimbark Street, Longmont, CO 80501. Incomplete application packets will not be accepted.
- ✓ Please do not staple pages.
- ✓ ALL documents must be 8 ½ x 11 in size and be typed or legibly printed in black ink.
- ✓ Some documents require a notary. The City Clerk's staff can notarize these documents for you. Please bring your photo identification with you.
- ✓ Applicants are expected to know, understand, and comply with the Colorado Liquor and Beer Code. Copies of the Colorado Liquor/Beer Code are available on the State of Colorado Department of Revenue website at: <https://www.colorado.gov/pacific/enforcement/liquor>
- ✓ Use the checklist of required documents below to guide you through completing your application packet

A. APPLICATION (STATE FORM #DR8404):

- 1. Complete in all appropriate sections, signed, and dated
- 2. Appropriate State & City fees attached (See City's Fee Schedule)
- 3. City of Longmont Application for Temporary Permit (if applicable) (provide desired issue date – must be at least one week after the date application is filed)
- 4. \$100 Temporary Permit Fee payable to City of Longmont (if applicable)
- 5. Copies of Registered Mail for Wholesaler Affidavit for Compliance (one sent to each wholesaler). Please provide a list of wholesalers that wholesaler affidavits were sent to
- 6. Detailed Drawing of the premises to be licensed with "licensed premises" outlined in **BOLD BLACK INK** (the diagram must identify and include: dimensions, total seating, kitchen area (if applicable), and alcohol storage area. Provide a separate diagram for each floor.)

B. PROOF OF POSSESSION OF PROPERTY:

NOTE: Possessory documents must be in EXACT SAME NAME as line 2 on the DR8404 or DR8403; cover entire license period; be properly executed; and demonstrate possession of all areas shown in premises diagram (i.e., patios, storage rooms, etc.)

- 1. Deed in name of the applicant (matching question #2) date stamped / filed with County Clerk (or)

- 2. Lease in the name of the applicant (matching question #2) (or)
- 3. Lease assignment in the name of the applicant with proper consent from the Landlord and acceptance by the Applicant (Attach prior lease to show right to assumption)
- 4. Consent and acceptance on assignments (if applicable)

C. FINANCIAL DOCUMENTS:

- 1. City of Longmont Consent to Release Financial Information (one for each owner/officer - notarized)
- 2. Purchase agreements or stock transfer agreements (if applicable)
- 3. Copies of notes or loans (i.e., assumed, banks, previous owners)

D. CORPORATE DOCUMENTS:

If applying entity is a corporation:

- 1. Certificate of Incorporation date-stamped by Secretary of State
- 2. Certificate of Good Standing issued within past two years (for corporations older than two years)
- 3. Certificate of Authorization (if foreign company)
- 4. List of officers/stockholders/directors of applying corporation (if wholly owned, designate at least 1 person as principal officer of parent)

If applying entity is a Limited Liability Company (LLC):

- 1. Articles of Organization date-stamped by Secretary of State's Office.
- 2. Certificate of Good Standing issued within past two years (for corporations older than two years)
- 3. Operating Agreement
- 4. Certificate of Authority (if foreign company)

If applying entity is a Partnership (not needed for husband and wife):

- 1. Partnership agreement (general or limited)
- 2. Certificate of Good Standing issued (if formed after 2009)

If applying as Sole Proprietor or Husband/Wife partnership:

- 1. Form DR 4679
- 2. Copy of Driver's License or Colorado Identification Card for each applicant

E. BACKGROUND INVESTIGATION DOCUMENTS:

(Each of the items below is required for each owner with 10% interest or more in the legal entity applying for the license listed on page 4 of the DR8404):

- 1. Individual History Record (state form #DR8404-I)
- 2. City of Longmont Authorization to Release Information (notarized)
- 3. City of Longmont Financial Release Information (notarized)
- 4. **After application is submitted:** Fingerprints completed by either: Identigo or American Bioidentity. For City of Longmont's Account information required for scheduling your fingerprints, please go to: <https://www.longmontcolorado.gov/departments/departments-a-d/city-clerk/licenses-and-permits/liquor-licenses#Fingerprtg>

F. MANAGEMENT INFORMATION:

1. **Is this application for a Hotel & Restaurant, Tavern or Lodging & Entertainment license?**
 - >YES. See #2 (below).
 - >NO. Nothing else is required.
2. **Will an owner be the Registered Manager (anyone listed on page 4 of the DR8404)?**
 - >YES. Nothing else is required.
 - >NO. If the registered manager will be someone *other* than the licensee or one of the owners, submit the following documents for that person:
 - Manager's Registration Form (DR8442)
 - Alcohol Sales and Service Training Certification
 - Manager Registration Fees:
 - \$30.00 payable to the Colorado Department of Revenue
 - \$30.00 payable to the City of Longmont

STEP 2. Provide any corrections/omissions noted by the Clerk after review & Clerk sets Public Hearing
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The City Clerk's Staff will review your application utilizing this same checklist. You will be notified via email of any omissions or corrections needed. Your application is not "Complete" and will not be set for hearing until all omissions and

corrections have been taken care of. Once your application is complete, the Clerk will email you to set the Public Hearing date and time.

STEP 3. Send Wholesaler Affidavits to Vendors Via Registered Mail

Submit proof that the applicant has sent the Wholesaler Affidavit to vendors via Registered Mail (DR8004). Upon return of the completed Wholesaler Affidavits, submit to the City Clerk's Office.

STEP 4. Schedule Inspections (Building & Fire) (and pass them!)

Licensees are required to ensure their premises meets local building and fire code. Those doing tenant finishes and builds will need to wait until the premises is ready for inspection. Each case is different.

If you will be obtaining building permits to complete a tenant finish or build, please schedule your inspections online at: <https://www.longmontcolorado.gov/departments/departments-a-d/building-inspection/inspections>

If you have questions about whether a permit is required, contact the Building Inspection Division, Development Services Center, 385 Kimbark St, (303) 651-8332.

If you are not making any changes to a location, or not making any changes that require permits, please call the Building Inspections Division, Development Services Center, 385 Kimbark St., (303) 651-8332 to schedule both a Building and a Fire inspection of your location. Please make sure to clarify that you need BOTH inspections.

STEP 5. Attend Local Authority Meeting When Scheduled (225 Kimbark St., Longmont)

At the meeting, the burden is on the applicant to prove to the Local Licensing Authority that the owner(s) are of **good moral character**. Owners and registered managers should plan on attending the meeting and be prepared to describe in detail the company's alcohol sales and service training and procedures as well as their own experience.

STEP 6. Await State Review of the Application

The State accepts and reviews applications on a first come, first-serve basis. The City Clerk's Office will send your application to the State after it is approved by the Local Licensing Authority.

The State communicates ONLY with the City Clerk's Office and the City Clerk's Office will communicate with you, the applicant, about your application. Once the State has reviewed the application, they may request corrections. Please address these issues as quickly as possible once the Clerk has notified you of them.

Once your application has been approved by the State, the State will issue your liquor license to the City Clerk's Office. The City Clerk's Office will not be able to issue your license to you until Building and Fire inspectors have approved the file. Therefore it is important to take care of Step 6 as early as possible. Licenses can be picked up in the City Clerk's Office, 350 Kimbark St., Longmont, Monday-Friday, 8 am to 5 pm. We are also happy to mail your license to you.

STEP 8. Pick up your license from City Clerk's Office

Congratulations! You are now a liquor licensee! Make sure to follow best practices, to train your staff, and to abide by liquor laws. Before you know it, you will need to renew your license! Each year, 120 days before your license expires, the State will mail your renewal form to you. DO NOT mail your renewal to the State. Your renewal MUST BE FILED with the City Clerk's Office prior to expiration of your license. The City requires a local fee in addition to the State renewal fee, in order to renew your license. If you ever have any doubts or questions about your license renewal or status, please call the City Clerk's Office at (303) 651-8649.



**Local Licensing Authority
City of Longmont, Colorado**

AUTHORIZATION TO RELEASE INFORMATION

As an applicant for a liquor license before the Longmont Local Licensing Authority, I am required to furnish information concerning my financial, moral, physical, educational, and mental qualifications. In this regard, I hereby authorize the Longmont Police Department to make any and all appropriate inquiries regarding the above enumerated qualifications. Moreover, I authorize those people or organizations selected by the Longmont Police Department to release any and all information of a confidential or privileged nature.

I hereby release you, your organization or others from any liability or damage which may result from furnishing the information requested. I further authorize the Longmont Police Department and Local Licensing Authority to discuss, in a public forum, any and all findings in regard to my financial, moral, educational and character qualifications, should I wish to proceed to that stage of the process with my application.

Signed _____

Dated _____

(State of _____)

)ss

County of _____)

Subscribed and sworn to before me this _____ day of _____,

20____, by _____.

Date Commission Expires

Notary Public



CITY OF LONGMONT, COLORADO
LOCAL LICENSING AUTHORITY

CONSENT TO RELEASE FINANCIAL INFORMATION

WHEREAS, an application for a _____ (type of) Liquor License has been submitted by _____ (name of applicant) and I, _____ (name of individual signing), am associated with said applicant in the capacity of _____ (position held with applicant) and fully understand that an investigation of my credit standing and business reputation is necessary for approval of said License.

NOW, THEREFORE, I hereby consent to and authorize the release of any and all personal or business books, records, check books, bank statements and records, financial data, balance sheets, income accounts, forms and all other applicable data and information relative to my credit standing and business reputation by any person or entity having possession or control thereof to any person presenting a signed copy of this *Consent to Release Financial Information*, or a true copy of a signed copy thereof, upon the express condition, however, that said release is limited to an investigation conducted pursuant to the aforesaid licensing and operation thereunder, but this consent shall continue to operate so long as above-named licensee shall hold said license, if granted, and for the term or terms of any renewals or extension thereof.

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge.

Date

Signature

STATE OF _____)

ss.

COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, 20_____

_____, by _____.

Date Commission Expires
(Notary Seal)

Notary Public



Liquor License Main Contact Information

Name: _____

Business Name: _____

Best Number to reach you at: _____

Type: Home Cell Work

2nd Best Number to reach you at: _____

Type: Home Cell Work

E-mail: _____

How often do you check your e-mail: _____

(i.e. daily, weekly, every time I get an e-mail because it is on my phone, etc.)

What is your first choice of communication?

Phone Number 1

Phone Number 2

E-mail



Local Licensing Authority

APPLICATION FOR A TEMPORARY LIQUOR LICENSE PENDING TRANSFER

Every question must be answered completely. Any false statement or answer by licensee constitutes perjury and may result in the revocation of the license. PLEASE PRINT IN BLACK INK OR TYPE.

APPLICANT INFORMATION:

- 1. Name of Licensee:
2. Trade Name of Business (dba):
3. Address of Business:
4. Business Telephone Number:
5. Contact Person:
6. Phone:
7. Email:

EXISTING LICENSEE INFORMATION:

Please complete the following information about the existing liquor license:

- 8. Trade Name of Existing Licensee:
9. License #:
10. Expiration Date:

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

Signature of Applicant

Date

Print Name

REQUIRED DOCUMENTS FOR A TEMPORARY LICENSE PENDING TRANSFER:

- City of Longmont Consent to Transfer License
• Affidavit of Transfer and Statement of Compliance
• Temporary License Fee of \$100 payable to the City of Longmont

Date Temp Issued:

Date Temp Expires:

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: Licensee Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this _____ day of _____, 20__ .

Seller:

Buyer:

Licensee & License Number

Applicant

Trade name

Trade name

Signature

Signature

Position

Position

Print Name

Print Name