





TRANSFER OF AN ALCOHOL LICENSE APPLICATION

Application fee (non-refundable) \$300 Transfer Fee \_\_\_\_\_ (See Fee Schedule)

CURRENT DABC LICENSEE (Seller) INFORMATION

- 1. Licensed entity:
2. Licensee business name (dba): DABC license number
Note: The commission may only approve the transfer of the same type of retail license currently held by the transferor.
3. Licensee business address:
4. Licensee mailing address (if different from item 3):
5. Licensee contact person: Phone number:
Other/office: Email:

NEW APPLICANT (buyer) INFORMATION

- 6. Applicant entity Entity Type: Individual Corporation Partnership Limited Liability Company
7. Proposed business name (dba): [Applicable to Bar Establishment only] Select type: Fraternal Equity Social
8. Proposed business address:
Note: The commission cannot approve the transfer of any license but a bar outside the county in which was initially issued.
9. Applicant mailing address:
10. Applicant Contact: phone number:
Other/Phone: Email:
11. Owner of real property & building (leaseholder) if applicable or [ ] I attest that I own the real property and building
Name: Address:
Phone: City, State, zip:
12. Proximity (current or proposed premises): List any private or public schools, churches, public libraries, public playgrounds, parks, or educational facilities (nursery school, infant day care center or trade / technical school) located within 600 feet pedestrian travel or 200 feet straight line of the proposed licensed location.

13. List all DABC alcoholic beverage licenses currently or previously held by applicant/entity/principals): \_\_\_\_\_

**Business / Property Information**

14a. Date opened for business (projected): \_\_\_\_\_ 14b. Days / hours of operation: \_\_\_\_\_

15a. Monthly gross food sales (projected): \_\_\_\_\_ 15b. Monthly gross alcohol sales (projected): \_\_\_\_\_

16. Square footage: \_\_\_\_\_ Seating/dining capacity: \_\_\_\_\_ # of Parking stalls: \_\_\_\_\_

17. Federal, state, withholding, and workforce service tax compliance:

By checking this box, I acknowledge that I am legally obligated to comply with the applicable federal and state laws pertaining to payment of taxes and contributions to unemployment and insurance funds.

**Ownership / Management – (list all ownership interests - total must be 100%)**

18. List managers, officers, directors, and individuals appointed to perform or direct operations at the business location. Use additional pages if necessary.

Name	Complete home address (include city, state, zip code)	Position Held	Date of Birth Month/Day Year	Percent Owned

19. Residency status - list and attach proof of status for all individuals in section 18 who are not US citizens (use additional sheets if necessary):

Name	Citizenship (country)

20. Criminal Offenses: List all criminal offenses other than minor traffic offenses for all partners, a stockholder who holds 20% of the outstanding stock of a corporation, a member who owns at least 20% of an LLC, all officers, directors, and individuals appointed to perform or direct operations at the business location. List all convictions or pending criminal charges (name, criminal offense, jurisdiction, date of offense or conviction, final adjudication – use additional sheets if necessary)

Name	Criminal offense	Jurisdiction	Date of offense or conviction	Adjudication

21. Criminal History – A criminal history background check must be submitted for all partners, a stockholder who holds 20% of the outstanding stock of a corporation, a member who owns at least 20% of an LLC, all officers, directors, and individuals appointed to perform or direct operations at the business location. A criminal history background check packet consists of:

- a. Submit fingerprints through 'Live Scan' or submit an FBI fingerprint card to DABC.
- b. Informed consent and release of liability & waiver form for each set of fingerprints submitted
- c. Fees - \$33.25 for each set of fingerprints submitted

22. Declaration of interest or employment in a brewery, winery, distillery, wholesaler, or affiliated subsidiary.

List any interest or employment of an alcohol manufacturer, wholesaler, or affiliated subsidiary of a person listed in section 18. \_\_\_\_\_

**FINANCIAL DOCUMENTATION**

23. Does this purchase include payment for any of the following:

Inventory:	\$ _____	Real Estate:	\$ _____
Fixtures:	\$ _____	Intangible Assets:	\$ _____
DABC License:	\$ _____	Other:	\$ _____

Protection of creditors & use of an escrow agent: If the transfer involves payment for the license, the buyer and the seller must comply with Utah Code Section 32B-8a-401 through 404 relating to the protection of creditors and use of an escrow agent. The entire purchase price for the DABC license must be put into escrow before filing this application. Attach a copy of escrow documents.

Escrow Agent / Guarantor Information:

Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_  
Other/Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**ATTESTATION / COMMENCEMENT of OPERATIONS**

By signing below, the applicant attests that:

- a) The applicant is at least 21 years of age.
- b) Consent is granted to representatives of the Alcoholic Beverage Control Department, Commission, State Bureau of Investigation (Bureau of Alcoholic Beverage Law Enforcement), and other law enforcement agencies to be admitted immediately and permitted without hindrance or delay to inspect the entire premises and all records of the licensee.
- c) Applicant has read and will abide by the provisions of Title 32B, Utah Code, and all rules of the commission and directives of the Department of Alcoholic Beverage Control and understands that failure to adhere thereto or to no longer possess the qualifications of a licensee may result in the suspension or revocation of the alcohol license and forfeiture of compliance bond.
- d) Applicant does not and will not discriminate against persons on the basis of race, color, sex, religion, ancestry, or national origin.
- e) No person in the alcoholic beverage industry (winery, brewery, distillery, importer, supplier, wholesaler, bottler, or warehouse) holds a partial interest in the ownership of the retail business or the real or personal property owned, occupied, or used by the applicant in the conduct of the applicant's business.
- f) The applicant acknowledges that he/she has read and understands the statements made herein, and that execution hereof is done voluntarily and by authorization of the applicant/organization and that any false statement made on this application or any related document is a second-degree felony.
- g) The undersigned hereby makes application to the Utah Alcoholic Beverage Control Commission for a transfer of an alcohol license and certifies that the information contained herein and attached hereto is true and correct.

\_\_\_\_\_ Date

\_\_\_\_\_ Applicant/Owner of business

\_\_\_\_\_ Title / Position

\_\_\_\_\_ Authorized Signature

**NOTARY**

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

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



Seal

## DO YOU HAVE A VIOLATION HISTORY

### 32B-5-203 Commission and department duties before issuing a retail license.

*... Before issuing a retail license, the commission shall consider operational factors such as considering the person's ability to manage and operate a retail license and consider any other factor the commission considers necessary.*

The Commission and department are required, before issuing a retail license, to conduct an investigation as to whether a retail license should be issued. The Commission has determined that one of those factors that will affect their decision to grant a license is whether or not an applicant has had a violation history. Commission Policy States:

- Any applicant which has had a violation history will NOT be considered for a new license for THREE MONTHS after the final commission order for any serious or grave violations.
- All applicants with a violation of serious or grave in the last four months to a year will be required to appear before the commission to address whether a new license should be granted.
- The commission will consider the number of violations and all mitigating and aggravating factors in determining when, if at all, to grant a license.
- For the purpose of this policy, violation history applies to all licenses where there is common ownership of 20% or more.
- DABC staff has been instructed to inform applicants with a pending violation or a violation history in the last three months to apply *after* the prescribed periods.

**Please check with DABC to determine if or when a violation was adjudicated**

Any Violations  No  Yes

*If Yes, fill in the information below:*

Violation \_\_\_\_\_  Serious  Grave      Date Adjudicated \_\_\_\_\_

Date the application may be considered by the Commission \_\_\_\_\_



**I. An interim management agreement is NOT required if any of the following apply (check all that apply) :**

- The applicant is not taking over the day-to-day operations of the current licensee's business during the interim transition period;
- The applicant is moving the business to a new location or is buying the DABC license only and will not be using the DABC license until the Commission grants a transfer of ownership.

**II. The Transfer of a DABC retail license will require an "Interim Management Agreement" if (check if this applies):**

- The intent of the transfer is that the original business premises
  - o is to remain open, utilizing the current business's DABC liquor license during the transfer process, **AND**
  - o there will be a **change of the management** between the current DABC licensee (seller) and the DABC applicant (buyer) before the DABC license is approved for transfer by the Commission.

**In this case, an interim agreement is necessary for the continued sales and service of alcohol during the transfer process. The following are required:**

1. Because the current DABC licensee (seller) still holds the DABC license, all proceeds from the sale of alcohol at the licensed business must flow to the DABC licensee (seller) and NOT to the new buyer. This is true during the transition period even if the buyer has acquired the lease or owns the premises.
2. During the transition period, revenue must still be reported and sales and income taxes must be paid under the DABC licensee's account numbers.
  - a. If the current DABC licensee (seller) will remain on the premises to operate the business during the transition period but no longer owns or has rights to the building and equipment, the seller may lease back the facility and equipment from the new owner.
  - b. If the current DABC licensee (seller) still owns or has rights to the building and equipment, then the seller may hire the new DABC applicant (buyer) to manage and operate the business during the interim period for a reasonable fee (fair market value).
3. The duration of the management agreement between the DABC Licensee (seller) and the new buyer will begin when the sale is completed and is limited to the period during which the new owner is actively applying for a DABC license with the Commission. The new owner must agree to use their best efforts to obtain the license.
4. The bond, insurance, and business license must remain in the name of and be the responsibility of the current DABC licensee (seller) during the interim period. However, the new buyer may agree to reimburse the seller for any necessary costs to maintain the bond, insurance and business license during the interim period (i.e. on a pro-rata basis).
5. The current DABC licensee (seller) is ultimately responsible for any violations that occur during the interim period, and the violations will go on the seller's violation history record. However, the new DABC applicant (buyer) may agree to pay any fines and costs associated with any violation that occur during the interim period.
6. The current DABC licensee (seller) is ultimately responsible to timely renew the DABC license if the renewal cycle occurs during the period of the agreement. However, the buyer may agree to reimburse the former owner for any renewal fees.
7. Not until final approval of the license transfer may the proceeds from the sale of alcohol for the **period of time following the transition period** begin to flow to the new buyer.
8. The agreement ends on the day after the day the Commission grants the DABC License. If the license was granted conditionally, the agreement ends when the licensee receives their local business license up to 30 days after being granted the conditional license. Another 30 days may be granted by DABC or another 5 months (total of no more than 7 months) may be granted if approved by the Commission under certain conditions. (See your compliance officer).

**III. ATTESTATION: If you checked the box in Part II, fill out this section:**

We are submitting this form as attestation that we are abiding by the DABC requirements of an interim management agreement as outlined in this form.

or

The purchase agreement, which includes the requirements listed in this form, is attached.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Seller/Current Owner of the license

\_\_\_\_\_  
Title / Position

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Buyer/New Applicant

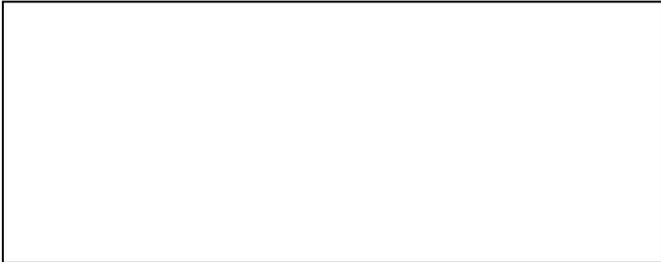
\_\_\_\_\_  
Title / Position

\_\_\_\_\_  
Authorized Signature

State of \_\_\_\_\_ County of \_\_\_\_\_ Subscribed

and sworn before me this day \_\_\_\_\_ of \_\_\_\_\_, 20 \_\_\_\_\_

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



Seal

PURPOSE: Declaration of Compliance

AUTHORITY: Utah Code 32B-8a-301, 401, 403, 501

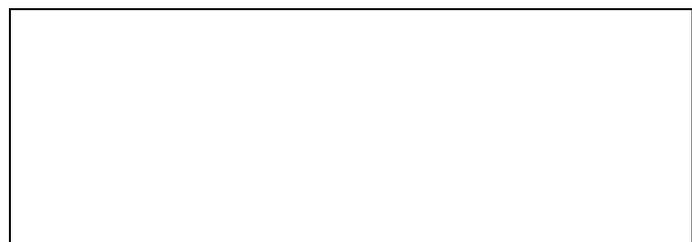
Date: \_\_\_\_\_

To: Department of Alcoholic Beverage Control I, \_\_\_\_\_ attest that I:
Name of Buyer

- 1. Have read and understand the applicable statutes of 32B in the execution of the transfer of a retail license.
2. May not enter into an agreement in which the DABC license is pledged as security for a loan or security for the fulfillment of any agreement.
3. May not transfer the retail license if the transfer is to:
a. Satisfy a loan or to fulfill an agreement entered into more than 90 days preceding the date on which the transfer application is filed.
b. Gain or establish a preference to or for any creditor of the transferor, except as provided by Section 32B-8a-202;
c. Defraud or injure a creditor of the transferor.
4. Understand that operations of the retail license must begin within 30 days from the day on which the transfer is approved by the Utah Alcoholic Beverage Control Commission, except that the Department may grant (one) 30 day extension.
5. Understand that operations of the retail license must begin at the location to which the transfer applies before the applicant may seek a transfer of the retail license to a different location.
6. If escrow is required:
a. Have received a list of creditors who have claim against the transferor (seller) (attach copy).
b. Have provided a copy of the notice of intended transfer to each creditor on the list provided.
c. Have established an escrow with an escrow holder certified as an escrow agent under UCA Title 7 Chapter 22, who is not a party to the transfer and have deposited the full amount of consideration with the escrow holder.
d. Have entered into an agreement that consideration is deposited with the escrow holder and requires the escrow holder to distribute the consideration within a reasonable time after the completion of the transfer of the retail license, and directs the escrow holder to distribute the consideration in accordance with 32B-8a-401(2) (attach copy).
7. Have read and understand the statements made herein, and that execution hereof is done voluntarily and that any false statement made on this application or any related document is a second degree felony.

Buyer Signature
Printed Name
Title / Organization

State of Utah \_\_\_\_\_ County of \_\_\_\_\_
Subscribed and sworn before me this \_\_\_\_\_ day
of \_\_\_\_\_, 20 \_\_\_\_\_
Notary Public Signature



**PURPOSE:** Declaration of Compliance

**AUTHORITY:** Utah Code 32B-8a-301, 401, 403, 501

Date: \_\_\_\_\_

To: Department of Alcoholic Beverage Control I, \_\_\_\_\_ attest that I:  
Name of Seller

1. Have read and understand the applicable statutes of 32B in the execution of the transfer of a retail license, and that my DABC license will be *relinquished to the transferee* upon the DABC Commission granting the license transfer.
2. May not transfer or pledge liquor inventory as security.
3. May not enter into an agreement which I pledge the retail license as security for a loan or security for the fulfillment of any agreement.
4. May not transfer the retail license if the transfer is to:
  - a. Satisfy a loan or to fulfill an agreement entered into more than 90 days preceding the date on which the transfer application is filed;
  - b. gain or establish a preference to or for any creditor of the transferor, except as provided by Section 32B-8a-202; or
  - c. defraud or injure a creditor of the transferor,
5. If escrow is required:
  - a. Have provided the transferee (buyer) with a list of creditors who have a claim against the transferor (seller).
  - b. Have entered into an agreement that consideration is deposited with the escrow holder and requires the escrow holder to distribute the consideration within a reasonable time after the completion of the transfer of the retail license; and directs the escrow holder to distribute the consideration in accordance with 32B-8a-401(2)
6. Have read and understand the statements made herein, and that execution hereof is done voluntarily and that any false statement made on this application or any related document is a second degree felony.

\_\_\_\_\_  
Seller Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title / Organization

State of Utah \_\_\_\_\_ County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day

of \_\_\_\_\_, 20 \_\_\_\_\_

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



## **Criminal History Background Check Procedures**

### **DABC Licensees / Applicant / Owner / Manager**

**AUTHORITY:** Utah Code 32B-1 Part 3

Criminal history background checks are required for all owners and persons employed to act in a supervisory or managerial capacity for a package agency, licensee, or permittee.

*If the owner is a partnership, corporation, or limited liability company*, a criminal history background check is required for all partners, managing agents, managers, officers, directors, or any stockholder who holds at least 20% of the total issued and outstanding stock of the corporation, or a member who owns at least 20% of the limited liability company

Each individual who falls under the description above shall consent to a criminal history background check and shall deliver the following documents and fees to the Department of Alcoholic Beverage Control:

**Background checks for each applicable person must include:**

- Fingerprints - either through a live scan service or a completed FBI fingerprint card
- A signed *Informed Consent & Waiver* form for each individual fingerprinted
- \$33.25 submitted to DABC for each individual fingerprinted

You may have *live scan* fingerprint services done at the DABC by appointment. There is no charge for the fingerprinting services but the \$33.25 Background fee will still apply. Call 801-977-6800 to set up your appointment. New DABC license applicants must submit fingerprints *prior to submitting or with their application*, so please plan ahead for fingerprinting services so you can meet your deadline prior to the 10<sup>th</sup> of the month.

Live scan fingerprint services are also available at other locations. Contact any live scan provider to see if they allow general public services.

The Bureau of Criminal Identification (BCI), located at 3888 W 5400 S., Salt Lake City, Utah provides fingerprinting services as well. They may be contacted at 801-965-4445 for additional information regarding their fingerprint services.

If you use a different live scan provider other than DABC, you must supply them with the attached *live scan authorization form*. They may or may not charge a fee for their services, but the \$33.25 fee must still be paid to DABC regardless of their service fees.

## DABC LICENSEE & MANAGER BACKGROUND CHECK INFORMED CONSENT AND WAIVER

\_\_\_\_\_  
Print - Name of Applicant (First, Middle, Last)

\_\_\_\_\_  
Date of Birth (Month, Day, Year)

\_\_\_\_\_  
Name of Employer

\_\_\_\_\_  
Employer Address

\_\_\_\_\_  
Job Title

\_\_\_\_\_  
Phone Number of the Applicant

(The above information to be verified by valid identification document(s) prior to background check request per Section 1028 of Title 18, United States Code)

### APPLICANT NOTIFICATION AND PURPOSE:

In accordance with Utah Code 32B-1-303-307, your fingerprints will be used to **continuously check** the criminal history records of local and national (FBI) background check databases to determine whether an applicable individual has been:

- Convicted of a felony under federal or state law;
- Convicted of a violation of a federal law, state law, or local ordinance concerning the sale, manufacture, distribution, warehousing, or transportation of an alcoholic beverage;
- Convicted of a crime involving moral turpitude;
- Convicted on two or more occasions within the previous five years, driving under the influence of alcohol, a drug, or the combined influence of alcohol and a drug.

### RECORD CHALLENGE:

If it is determined that a criminal history record contains a disqualifying offense, the applicable person must be notified of the reason for disqualification and given an opportunity to respond to the disqualification. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedure for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34. Procedures for challenging the State of Utah records if Utah has records that the FBI does not (UCA 53-10-108) can be found on the BCI website at: <https://bci.utah.gov/wp-content/uploads/sites/15/2018/01/Challenge-Application-12-5-2017.pdf>

### WAIVER:

I hereby authorize the Department of Alcoholic Beverage Control (DABC) to investigate my criminal history records and acknowledge that a background check will be conducted and maintained by the State Bureau of Criminal Identification and my fingerprints continuously checked against local and national (FBI) background check databases for so long as I maintain an employment or regulatory relationship with the DABC.

My personal information and fingerprints may be retained for ongoing monitoring and comparison against future submissions to the state, regional or federal database and latent fingerprint inquiries. DABC will establish procedures to ensure removal of my fingerprints from applicable state and federal databases when I am no longer under their purview. I will provide a list of all criminal convictions which contains a description of the crimes and the particulars of the convictions.

I have read the attached Privacy Statement and understand my rights according to this statement.

I stipulate that if a criminal conviction that would disqualify any applicable individual from holding the license, permit, or package agency, the license, permit or package agency will immediately be surrendered.

**I agree by signing below to notify the DABC if I cease this relationship and wish my fingerprints to be removed from the notification system.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# FBI Privacy Act Statement

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the routine uses for the NGI system and the FBI's blanket routine uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

**Additional Information:** The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

# Utah Department of Alcohol Beverage Control

## LIVE SCAN AUTHORIZATION FORM

### Billable to DABC

Agency Billing Code: B1664 (DABC – WIN/FBI)  
Type of Background Check Required: WIN/FBI Check: NFUF

Use this form if NOT doing fingerprinting services at DABC. Any qualified 'Live Scan' provider that can provide the services may do so using the DABC billing code. They may or may not charge a fee for their services. Call Ahead!

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant DOB: \_\_\_\_\_ Applicant SSN: \_\_\_\_\_

DABC Authorization Signature: \_\_\_\_\_ Angela Micklos

### NOTE: THIS FORM STAYS WITH THE 'LIVE SCAN' PROVIDER

Regardless of any additional fees paid to the 'Live Scan' provider for their fingerprinting services, in accordance with Utah Code 32B-1-303-307, **fees of \$33.25 must be submitted to DABC** for all owners and persons employed to act in a supervisory or managerial capacity for a package agency, licensee or permittee. If the owner is a partnership, corporation, or limited liability company, a criminal history background check is required for all partners, managing agents, managers, officers, directors, or any stockholder who holds at least 20% of the total issued and outstanding stock of the corporation, or a member who owns at least 20% of the limited liability company



Utah State Tax Commission • 210 N 1950 W • Salt Lake City, UT 84137

**Exemption Certificate**  
(Sales, Use, Tourism and Motor Vehicle Rental Tax)

**TC-721**  
Rev. 7/15

Name of business or institution claiming exemption (purchaser)		Telephone number	
Street address	City	State	ZIP Code
Authorized signature	Name (please print)	Title	
<b>Name of Seller or Supplier:</b>	<b>Department of Alcoholic Beverage Control</b>	Date	

The signer of this certificate **MUST** check the box showing the basis for which the exemption is being claimed.

**DO NOT SEND THIS CERTIFICATE TO THE TAX COMMISSION**  
**Keep it with your records in case of an audit.**

**RESALE OR RE-LEASE**  
Sales Tax License No. \_\_\_\_\_

I certify I am a dealer in tangible personal property or services that are for resale or re-lease. If I use or consume any tangible personal property or services I purchase tax free for resale, or if my sales are of food, beverages, dairy products and similar confections dispensed from vending machines (see Rule R865-19S-74), I will report and pay sales tax directly to the Tax Commission on my next sales and use tax return.

**COMMERCIAL AIRLINES**  
Sales Tax License No. \_\_\_\_\_

I certify the food and beverages purchased are by a commercial airline for in-flight consumption; or, any parts or equipment purchased are for use in aircraft operated by common carriers in interstate or foreign commerce.

**RELIGIOUS OR CHARITABLE INSTITUTION**  
Sales Tax License No. \_\_\_\_\_

I certify the tangible personal property or services purchased will be used or consumed for essential religious or charitable purposes. **This exemption can only be used on purchases totaling \$1,000 or more, unless the sale is pursuant to a contract between the seller and purchaser.**

\_\_\_\_\_

**NOTE TO SELLER: Keep this certificate on file since it must be available for audit review.** Questions? Email [taxmaster@utah.gov](mailto:taxmaster@utah.gov), or call 801-297-2200 or 1-800-662-4335.

If you need an accommodation under the Americans with Disabilities Act, email [taxada@utah.gov](mailto:taxada@utah.gov), or call 801-297-3811 or TDD 801-297-2020. Please allow three working days for a response.

**DO NOT SEND THIS CERTIFICATE TO THE TAX COMMISSION**

## **TRANSFER of a DABC LICENSE Local Consent Information**

**DABC licenses or permits that may be transferred include:**

- All DABC retail licenses
- Off-premises beer retailer licenses
- Brewery, distillery, and winery manufacturing licenses
- Industrial or manufacturing special use permits

**Please go to the DABC Website at:**

➤ [abc.utah.gov](http://abc.utah.gov)

**Download the appropriate local consent form  
for the type of license that is being transferred.**

**UTAH DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

1625 S 900 W • PO Box 30408 • Salt Lake City, UT 84130-0408 • Phone (801) 977-6800 • Fax (801) 977-6889

**BAR / FRATERNAL / EQUITY BOND**

**BOND #** \_\_\_\_\_

**KNOW ALL PERSONS BY THESE PRESENTS:**

That **Principal**, \_\_\_\_\_, a club liquor licensee, doing business as \_\_\_\_\_, and **Surety**, \_\_\_\_\_, a corporation organized and existing under the laws of the state of \_\_\_\_\_ and authorized to do business in Utah, are held and bound unto the Utah Department of Alcoholic Beverage Control in the sum of **\$10,000**, for which payment will be made, we hereby bind ourselves and our representatives, assigns, and successors firmly by these presents.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**THE CONDITION OF THIS OBLIGATION IS SUCH THAT:**

WHEREAS, the above principal has made application to the Utah Alcoholic Beverage Control Commission for a club liquor license pursuant to the provisions of 32B-5-204, Utah Code.

NOW, THEREFORE, if said principal, its officers, agents and employees shall faithfully comply with the provisions of Title 32B, Utah Code, and the rules and directives of the Utah Alcoholic Beverage Control Commission and the Utah Department of Alcoholic Beverage Control, then this bond shall be void; but, if said principal, its officers, agents and employees fail to comply with the provisions of the laws, rules and directives or orders as the commission or department may issue, then this bond shall be in full force and effect and payable to the Utah Department of Alcoholic Beverage Control. This bond shall run for a continuing term effective \_\_\_\_\_ unless canceled by service of written notice upon the Utah Department of Alcoholic Beverage Control, which cancellation shall be effective 30 days after receipt of such notice; provided however, that no part of this bond shall be withdrawn or canceled while violations, legal actions or proceedings are pending against said licensee / principal.

\_\_\_\_\_  
**Surety**

\_\_\_\_\_  
**Principal / Licensee**

\_\_\_\_\_  
Attorney in fact

\_\_\_\_\_  
Authorized signature

{ Corporate Seal }

\_\_\_\_\_  
Name / Title

**SAMPLE ONLY- Go to DABC website to  
download the correct bond for your  
license type**

**STATUTORY AFFIDAVIT FOR CORPORATE SURETY**

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared before me, \_\_\_\_\_, who, being by me duly sworn, did say that he / she is the attorney in fact of \_\_\_\_\_, **Surety**, and that said instrument was signed in behalf of said surety by authority, and acknowledged to me that he / she as such attorney in fact executed the same.

\_\_\_\_\_  
**Notary Public Signature & Seal**

Note: Corporate surety's own affidavit also acceptable





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
Month/Date/Year

<b>PRODUCER</b>  Insurnce Agent/Broker Name Insurnce Agent/Broker Street Address or P.O. Box Insurnce Agent/Broker City, State & Zip Code Contact & Phone Number	<b>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.</b>	
	<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>
<b>INSURED</b>  Your Business entity (LLC, Corp, Partnership or individual) Your DBA - business name Address City, State Zip	INSURER A: Name of Insurance Company	Enter NAIC#
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	

### COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A	<input checked="" type="checkbox"/>	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <u>Liquor Liability</u> <input type="checkbox"/> _____ GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	Enter Policy #	Enter Effective Date	Enter Expiration Date	EACH OCCURENCE	\$1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
						MED EXP (Any one person)	\$N/A
						PERSONAL & ADV INJURY	\$1,000,000
						GENERAL AGGREGATE	\$2,000,000
						PRODUCTS - COMP/OP AGG	\$1,000,000
							\$
	<input type="checkbox"/>	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> _____ <input type="checkbox"/> _____				COMBINED SINGLE LIMIT (Each Occurrence)	\$
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/>	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> _____				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN EA ACC	\$
						AUTO ONLY: AGG	\$
	<input type="checkbox"/>	<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$ _____				EACH OCCURENCE	\$
						AGGREGATE	\$
							\$
							\$
	<input type="checkbox"/>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER	
						E.L. EACH ACCIDENT	
						E.L. DISEASE - EA EMPLOYEE	
						E.L. DISEASE - POLICY LIMIT	
	<input type="checkbox"/>	<b>OTHER</b>					

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS**

Business located at:

<b>CERTIFICATE HOLDER</b>  Department of Alcoholic Beverage Control 1625 S 900 W Salt Lake City, UT 84104  Facsimile Number: (801) 977-6889	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE INSURER AFFORDING COVERAGE WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.  AUTHORIZED REPRESENTATIVE
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**Pro Forma Income Statement**  
Annual Estimated Income and Expenses

**Business Name:** \_\_\_\_\_

**REVENUE:**

Food \$ \_\_\_\_\_

Alcohol (spirits, wine, beer and heavy beer) \$ \_\_\_\_\_

Other Revenue \$ \_\_\_\_\_

**Total Sales Revenue:** \$ \_\_\_\_\_

Percentage of alcohol vs food sales: % \_\_\_\_\_

**COSTS OF GOODS SOLD:**

Food \$ \_\_\_\_\_

Alcohol (spirits, wine, beer and heavy beer) \$ \_\_\_\_\_

Other \$ \_\_\_\_\_

**Total Costs of Goods Sold:** \$ \_\_\_\_\_

**GROSS PROFIT:** \$ \_\_\_\_\_

**EXPENSES:**

Variable Costs

➤ Salaries & wages \$ \_\_\_\_\_

➤ Employee Benefits \$ \_\_\_\_\_

Other Operating Expenses

➤ Janitorial \$ \_\_\_\_\_

➤ Advertising \$ \_\_\_\_\_

➤ Entertainment \$ \_\_\_\_\_

➤ Utilities \$ \_\_\_\_\_

➤ Telephone \$ \_\_\_\_\_

**Total Variable Expenses:** \$ \_\_\_\_\_

Fixed costs:

➤ Mortgage/Rent \$ \_\_\_\_\_

➤ Insurance \$ \_\_\_\_\_

➤ Interest \$ \_\_\_\_\_

➤ Depreciation \$ \_\_\_\_\_

**Total Fixed Expenses** \$ \_\_\_\_\_

**TOTAL OPERATING EXPENSES:** \$ \_\_\_\_\_

Net Profit (or loss) before taxes \$ \_\_\_\_\_

➤ Taxes \$ \_\_\_\_\_

**NET PROFIT (OR LOSS) AFTER TAXES** \$ \_\_\_\_\_

## How to Write Your

# RESPONSIBLE ALCOHOL SERVICE PLAN – (RASP)

Effective May 9<sup>th</sup>, 2017, a Responsible Alcohol Service Plan (RASP) must be submitted as a requirement of DABC licensing and renewal.

## What is a RASP?

A Rasp is a written set of policies and procedures that outlines measures to prevent employees from:

- (a) Over-serving alcoholic beverages to customers;
- (b) Serving alcoholic beverages to customers who are actually, apparently, or obviously intoxicated; and
- (c) Serving alcoholic beverages to minors.

Every business is different, i.e. more or fewer employees, size of the business, amount of alcohol sales, restaurants vs bars or bowling centers etc. So each RASP should reflect the best possible way for your business to succeed in “Responsible Alcohol Service”. Take each point separately and decide:

1. How will our business prevent over service?”
  2. How will we prevent not serving someone who is already intoxicated?
  3. How will we prevent our servers from ever serving anyone under the age of 21?
- Put some time and thought into your RASP.
  - Make certain that your employees are aware of your own particular RASP procedures, be trained on it, and follow it.
  - A copy of your RASP will be kept on file with DABC.
  - You can write new RASP plan as circumstances change or new information is added.
  - These plans will be required annually, and compliance officers will check to make sure they are being implemented at your business.
  - Send any new plans to DABC as well as re-train your employees.

# REQUIRED MANAGER TRAINING CLASSES

Effective January 2018

**EVERY MANAGER** working in a DABC retail licensed business must complete a Manager Training Program.

"Retail manager" means an individual who (a) manages operations or (b) supervises the furnishing of an alcoholic product at a premises that is licensed under 32B Alcoholic Beverage Control Act.

NOTE: A "manager" includes owners, assistant managers, supervisors, team leads, etc. if they meet the definition above.



**ALL NEW DABC APPLICANTS** are required to obtain management training prior to obtaining a license. Please sign up as part of your application process.

## MANAGER TRAINING DATES:

Trainings will be conducted at the DABC (*unless otherwise noted on the website*) at 1625 South 900 West in Salt Lake City. The cost is \$25 per manager. Call ahead and register as seating is limited. Remember that the last date to complete the training for new applicants is prior to obtaining licensing.

Visit our website for training days and times at:

<https://abc.utah.gov/new/documents/MandatoryManagerTrainingSchedule.pdf>



**REMEMBER!** . . . **ANY NEW MANAGER** being added to your license must complete the manager training program and have their background check completed within 30 days of hire as a manager.

LICENSE / PERMIT TYPE	APPLICATION FEE	INITIAL FEE	RENEWAL FEE
<b>RETAIL LICENSES</b>			
non-refundable fee			
Airport Lounge	\$300	\$8,000	\$6,000
Arena - (includes at least three sublicenses)	\$500	\$5,000 + \$1,000 for each additional sublicense - (later sublicense additions are \$300 non-refundable fee + \$2,250 each)	\$1,000 + \$1,000 For each sublicense
Banquet Catering	\$300	\$750	\$750
Bar Establishment	\$300	\$2,750	\$2,000
Hospitality Amenity	\$330	\$2,000	\$1,000
Hotel - (includes at least three sublicenses)	\$500	\$5,000 + \$2,000 for each additional sublicense - (later sublicense additions are \$300 non-refundable fee + \$2,250 each)	\$1,000 For each sublicense
Off Premise Beer Retailer	\$75	\$250	\$175
On-Premise Beer - Recreational Amenity	\$300	\$300	\$350
Package Agency	\$125	N/A	N/A
Reception Center	\$300	\$750	\$750
Resort - (includes four sublicenses)	\$300	\$10,000 + \$2,000 for each additional sublicense - (later sublicense additions are \$300 non-refundable fee + \$2,250 each)	\$1,000 For each sublicense
Restaurant – Beer Only	\$330	\$825	\$605
Restaurant – Full Service	\$330	\$2,200	\$1,650
Restaurant – Limited Service	\$330	\$1,275	\$750
Restaurant - Master Limited Service	\$330	\$5,000 + \$1,275 licensing fees for each sublicense not already licensed	\$500 + \$750 renewal fees for each sublicense
Restaurant - Master Full Service	\$330	\$10,000 + \$2,200 licensing fees for each sublicense not already licensed	\$1,000 + \$1,650 renewal fees for each sublicense
Tavern	\$300	\$1,500	\$1,250
<b>NON RETAIL LICENSES</b>			
non-refundable fee			
Beer Wholesaler <ul style="list-style-type: none"> <li>• Under 500,000 case sales</li> <li>• 500,000 but less than 1 million case sales</li> <li>• Case sales 1 million or more</li> </ul>	\$300	\$2,300	\$1,200 \$2,350 \$3,500
Certificate of Approval (brewers outside of Utah)	\$75	\$300	\$250
Industrial/Manufacturing Special Use	\$75	\$250	N/A
Label Approvals	N/A	\$30 per Label	N/A
Liquor Transport License	\$300	\$2,300	\$1,200
Liquor Warehouse	\$300	\$850	\$1,200
Local Industry Representative	\$75	\$125	\$125
Manufacturer <ul style="list-style-type: none"> <li>✓ Except winery production &lt; 20,000 gallons</li> </ul>	\$300	\$3,800	\$2,900 \$1,400

LICENSE / PERMIT TYPE	APPLICATION FEE	INITIAL FEE	RENEWAL FEE
<b>PERMITS</b>			
non-refundable fee			
Public Service Special Use Permit	\$75	\$250	\$30 Per flight / ride etc.
Religious Special Use Permit	N/A	\$125	N/A
Scientific/Educational Special Use Permit	N/A	\$125	N/A
Single Event Permit	N/A	\$125	N/A
Temporary Beer Event Permit	N/A	\$100	N/A
<b>TRANSFER of a LICENSE</b>			
non-refundable fee			
MOVING - Transferring your own license to a new location	\$300	Same as the renewal fee for the license type being transferred	N/A.
<p>BUSINESS ENTITY STAYING THE SAME - Transferring 51% or more of the ownership within the same entity.</p> <ul style="list-style-type: none"> <li>❖ For multiple licenses being transferred at the same time, only one fee is required, choosing the renewal fee for the highest renewal fee being transferred</li> </ul>	\$300	Same as the renewal fee for the license type being transferred	N/A
Full TRNASFER - Transferring a license to another person or entity whether staying in the same location or moving the license to a new location	\$300	Same as a new application fee for the type of license that is being transferred	N/A
<p>WHEN NO CONSIDERATION is paid for the transfer of the license among:</p> <ul style="list-style-type: none"> <li>❖ Married spouses – from one spouse to the other spouse</li> <li>❖ A deceased licensee to one or more surviving partners, executor, administrator or conservator of the estate, or the surviving spouse</li> <li>❖ An Incompetent person to the guardian</li> <li>❖ A debtor in a bankruptcy case to the trustee</li> <li>❖ From the receiver of an estate to a new receiver of the estate, or to a living trust</li> <li>❖ Between partners when no new partner is being licensed</li> <li>❖ Between corporations owned by the same individuals</li> </ul>	\$300	ONE-HALF of the initial licensee fee for the type of retail license being transferred	N/A