

# Checklist for sale of an existing, currently licensed liquor business

Investigator \_\_\_\_\_

DBA name and address \_\_\_\_\_

Date application assigned \_\_\_\_\_ Date case completed \_\_\_\_\_

- An application for a **sale of an existing business** is used when any person intending to acquire *any ownership* interest in an existing business that is owned by an individual, partnership or limited liability company, as distinguished from a corporation, **or** any person intending to acquire *ten percent or more ownership* in a corporation that is a sole owner, a partner or member in a limited liability company that owns an existing business – **Sec 10-266**
- An application for a **change in ownership** is used when any person intending to acquire *less than ten percent ownership* in a corporation that is a sole owner, a partner or member in a limited liability company that owns an existing business – **Sec 10-266**
  - If the business is owned by a sole owner (the business is not a corporation or LLC), **only** the owner is eligible to be the managing officer

*The following requirements will be completed by the investigator working on your case*

\_\_\_ **Investigator requirement** – verification that all existing liquor licenses / permits are current. If the approval of the change of ownership of an existing business licensed under this chapter is not complete before all liquor licenses and/or permits expire, then the existing business licensed under this chapter must renew all liquor licenses and/or permits or the applicant of the new business must meet all of the requirements for an original liquor license which include meeting the density and consent requirements – **section 10-266(g), & 10-261(a) & 10-261(g)**

\_\_\_ **Investigator requirement** – Check the server and master file of the current licensee to see if a “conditional license” has been issued at this location. Is a conditional license in place at this location? \_\_\_\_\_. If yes, refer to the P & P titled “Conditional Licenses” and follow accordingly.

\_\_\_ **Investigator requirement** – a map of the zoning overlay of the area immediately surrounding the proposed premise

\_\_\_ **Investigator requirement** – verification and copies of the current **City and State** liquor licenses

\_\_\_ **Investigator requirement** – *liquor-by-the-drink and package requirement checklist* completed confirming the business is eligible to receive a liquor license as required in **Sections 10-102** and **10-111** of the ordinance

\_\_\_ **Investigator requirement** – *consent verification checklist* completed confirming all requirements in **Sections 10-214** and **10-215** have been checked

\_\_\_ **Investigator requirement** – notification letters mailed out to all property owners within 350 feet of the proposed premise, neighborhood associations within 500 feet of the proposed premise and City Councilmembers who represent the same district of the proposed premise, as well as other pre-determined government entities – **as determined by the investigator, consents may not be needed**

\_\_\_ **Investigator requirement** – submit the current working file of the establishment being sold to your supervisor

\_\_\_ **Investigator requirement** – immediately inactivate the business that was sold in the system once the new license(s) has been issued

*In order to begin processing a liquor application, an **applicant** must submit the following*

\_\_\_ Liquor license application – **must be signed and notarized. Form provided by the Regulated Industries Division (<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)**

\_\_\_ \$250 application fee – check or money order made out to the city treasurer

\_\_\_ A copy of the XY coordinates that must be from a surveyor – **your investigator will determine if these are needed**

All of the following information listed below must be submitted by the applicant

Have    Need

- \_\_\_    \_\_\_    90-day waiver for food sales requirements, signed and notarized – *only if applicable* – **form is provided by the Regulated Industries Division**  
(<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)
- \_\_\_    \_\_\_    A \$41 processing fee (check made out to the city treasurer) per person for a criminal history record check to include all cities, states and countries where applicant(s) has resided. This will include the *managing officer* and anyone who owns **more than 10 percent** of the stock in the business or owns **more than 10 percent** of the business. If the appointed managing officer is an active, practicing lawyer in the State of Missouri, a criminal history record check is not required, but he must submit a copy of his bar association card.
- \_\_\_    \_\_\_    Consultant consent form signed by the applicant (only applicable if a consultant is used) – **form provided by the Regulated Industries Division**  
(<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)
- \_\_\_    \_\_\_    Signed consents – one over half must be returned to the office within 45 days from the date when they were originally picked up. **One** extension up to 45 days may be requested in writing, but must be submitted before the due date. Consents are not required if the applicant falls under the criteria listed in Section 10-215 (1), (2), (3), (4) and (5) – **consent forms provided by the Regulated Industries Division (only if needed)**
- \_\_\_    \_\_\_    A diagram of the premises including the total number of **square feet** in the building, total **square feet** for all outdoor seating areas (not to include a sidewalk café) and the **number of floors** involved
- \_\_\_    \_\_\_    Two recent photographs of the front of the premises to be licensed
- \_\_\_    \_\_\_    **LLC only** – a copy of the **operating agreement** listing the members and managers of the LLC  
**Corporation only** – a copy of the **bylaws and all amendments and organizational minutes**, verifying all corporate officers, shareholders and number of shares held  
**Partnership only** – a copy of the **partnership agreement** (limited partnership requires partnership application and appointment of the managing partner) – The managing partner must be noted on the application
- \_\_\_    \_\_\_    Certificate of good standing **from the State of Missouri**. If the business is less than one year old or a certificate of good standing cannot be retrieved, submit a certificate of organization (LLC or limited partnership – not *general partnership*), or certificate of incorporation (corporation) –**from the State of Missouri**, State Office Building in KCMO, 615 E. 13<sup>th</sup> St., (816) 889-2925
- \_\_\_    \_\_\_    Fictitious name registration **if DBA is different than the corporate name** – from State Office Building in KCMO, 615 E. 13<sup>th</sup> St., (816) 889-2925
- \_\_\_    \_\_\_    Managing officer appointment form completed (managing officer must reside in Missouri) – **form provided by the Regulated Industries Division**  
(<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)
- \_\_\_    \_\_\_    Two recent passport-style photos (without hat) of the managing officer and anyone who owns **more than 10 percent** of the stock in the location or who owns **more than 10 percent** of the business
- \_\_\_    \_\_\_    A **schedule P form** must be filled out for the *managing officer* and *anyone* who owns **more than 10 percent** stock in the location or owns **more than 10 percent** of the business or from anyone who contributed money to the business. No license for the sale of alcoholic beverages shall be issued to any person who has any financial interest in the business or has furnished, directly or indirectly, equipment, money, credit or property of any kind except ordinary commercial credit for alcoholic beverages if that person is not of good moral character (**Section 10-181 & 10-185**) – **form provided by the Regulated Industries Division**  
(<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)
- \_\_\_    \_\_\_    A copy of the managing officer's Missouri driver's license – **must be a Missouri resident and U.S. citizen**
- \_\_\_    \_\_\_    Anyone who was not born in the United States and owns **more than 10 percent** stock in the location or owns **more than 10 percent** of the business must provide residency documents proving authorization to work in the US in the form of a state issued driver's license or ID, U.S. passport, permanent resident card {i.e. green card} employment authorization card or a military ID

Have    Need

- \_\_\_    \_\_\_    Stock purchase agreement (if applicable)
- \_\_\_    \_\_\_    Asset sales agreement signed by all parties and notarized
- \_\_\_    \_\_\_    Declaration of intent to sell, signed by all parties and notarized – **form provided by the Regulated Industries Division** (<http://www.kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/>)
- \_\_\_    \_\_\_    A statement of no sales/use tax due (*only from the buyer*) dated within the preceding 90 days from the date of application – from the Finance Department in City Hall, 414 E. 12<sup>th</sup> St., (816) 513-1120 or (816) 513-1135
- \_\_\_    \_\_\_    A copy of the menu
- \_\_\_    \_\_\_    Other items that may be requested by the investigator

A liquor application can be processed without the **contingency items** listed below. However, all **contingency items** must be submitted before a license will be issued.

Have    Need

- \_\_\_    \_\_\_    A copy of the health permit (must be from the DBA applying) – from the Health Department, 2400 Troost Ave., (816) 513-6247 – **contingency item**
- \_\_\_    \_\_\_    A copy of the fire permit (must be from the DBA applying) – from the Fire Marshal's Office, 635 Woodland Ave., (816) 784-9100 – **contingency item**
- \_\_\_    \_\_\_    A certificate of compliance (must be from the DBA applying) stating no exterior code violations currently exist on the property – from the Neighborhood Preservation Division, 4900 Swope Parkway, (816) 513-9010 – **contingency item**
- \_\_\_    \_\_\_    All liquor licenses as required from the State of Missouri, Division of Alcohol & Tobacco Control – State Office Building in KCMO, 615 E. 13<sup>th</sup> St., (816) 889-2574 – **contingency item**