# Checklist for change in ownership of current liquor licensed business

Investigator _____

DBA name and address _____

- An application for a **change in ownership of current liquor licensed business** is used when any person intends 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 intends 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**
  - 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** – If a change in ownership occurs and the business has a new LLC or corporate name, or, there is a 100% change in the partnership, or, the business is no longer owned by a sole owner, a new case must be created in EnerGov and the old file must be archived upon completion of the sale and issuance of the new license.

____ **Investigator requirement** – If a change in ownership occurs and the business ***does not*** have a new LLC or corporate name, but, ***any person has acquired any ownership interest*** in an existing business that is owned by an individual, partnership or limited liability company, or, ***any person has acquired 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, the case remains as is in EnerGov and a new license must be issued ONLY if there is a change in dba name or managing officer. There is no charge for the license.

____ **Investigator requirement** – verification that all existing **city** 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 city liquor licenses and/or permits expire, then the existing business licensed under this chapter must renew all city liquor licenses and/or permits, or, the applicant must meet all of the requirements for an original liquor license which include meeting the density and consent requirements – **section 10-266(g)** – **sale of business only**

____ **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** – pull the master file of the business being sold & make copies of the *density study and checklist*, *church/school location checklist*, *notification checklist*, *consent verification checklist* and all consent forms, X-Y coordinates, diagram, certificate of occupancy and occupant load certificate – **Only if the LLC or corporation has changed, or, there is a 100% change in the partnership, or, the business is no longer owned by a sole owner.**

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

____ **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** – Did the applicant fail to successfully complete the consent process? If yes, you must send the **property owner** a letter stating "should the premise fail the consent process a second time within a 12 month period, another application for a liquor license at the premise will not be accepted until 12 months have passed" – see the *consent verification checklist* for specifics

____ **Investigator requirement** – *notification checklist* completed and attached listing all entities that received notifications If the change in ownership involves a business name change or concept change (such as a new menu, change from restaurant to sports bar…)

____ **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

____ **Investigator requirement** – If you believe the business may not be able to maintain its status as a restaurant-bar based on a limited menu, business concept or any other reason, you must complete a density study and submit a completed Restaurant-bar Risk and Acknowledgement Form if density will not allow a tavern to be located at this address

____ **Investigator requirement** – A copy of the final invoice showing all outstanding permit/license fees

*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://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/)

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

____ Two coordinates, expressed in feet, based on the North American Datum 1983 Missouri West State Plane Coordinate System, identifying the center of the door for the main entrance to the premise – must be from a **licensed surveyor OR submit $100 to Regulated Industries** to obtain the coordinates – check or money order made out to the city treasurer – *only if applicable*

*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 – **form is provided by the Regulated Industries Division** – *only if applicable* (http://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/) |
| ___ | ___ | Malt liquor/nonintoxicating beer waiver signed & notarized – **form provided by Regulated Industries Division** – *only if applicable* http://kcmo.org/CKCMO/Depts/NeighborhoodAndCommunityServices/Regulated/Licenses/REGULATEDMALTWAIVER |
| ___ | ___ | A $42 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 – *only if applicable* |
| ___ | ___ | Consultant consent form signed by the applicant (only applicable if a consultant is used) – **form provided by the Regulated Industries Division** (http://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/) |
| ___ | ___ | *Consent form oath* signed by the applicant ***and*** a majority of the consent forms, signed by the eligible consenters, must be returned to the office within 45 days from the date issued. An extension of time may be requested in writing. **Consent forms are provided by the Regulated Industries Division** – *only if applicable* |
| ___ | ___ | 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 – *only if applicable* |
| ___ | ___ | Two recent photographs of the front of the premises to be licensed – *only if applicable* |
| ___ | ___ | **LLC only** – a copy of the **operating agreement** listing the members and managers of the LLC<br>**Corporation only** – a copy of the **bylaws and all amendments *and* organizational minutes**, verifying all corporate officers, shareholders and number of shares held ***or*** the **Articles of Incorporation**<br>**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 – *only if applicable* |
| ___ | ___ | 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 g*eneral partnership*), ***or*** certificate of incorporation (corporation) –**from the State of Missouri,** State Office Building in KCMO, 615 E. 13th St., (816) 889-2925 – *only if applicable* |
| ___ | ___ | Fictitious name registration **if DBA is different than the corporate name** – from State Office Building in KCMO, 615 E. 13th St., (816) 889-2925 – *only if applicable* |

***Have*** ***Need***

___ ___ Managing officer appointment form completed (managing officer must reside in Missouri) **– form provided by the Regulated Industries Division** – *only if applicable* (http://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/)

___ ___ 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 – *only if applicable*

___ ___ 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** – *only if applicable* (http://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/)

___ ___ A copy of the managing officer's Missouri driver's license – **must be a Missouri resident and U.S. citizen** – *only if applicable*

___ ___ 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 – *only if applicable*

___ ___ Stock purchase agreement – *only if applicable*

___ ___ Asset sales agreement signed by all parties – *only if applicable*

___ ___ Declaration of intent to sell, signed by all parties and notarized – **form provided by the Regulated Industries Division** (http://kcmo.org/CKCMO/Depts/NeighborhoodsandHousingServices/RegulatedIndustries/Alcohol/) – *only if applicable*

___ ___ A statement of tax clearance dated within the preceding 90 days from the date of application – from the Business License unit of the Finance Department at 1118 Oak Street, KCMO (816) 513-1135 – *only if applicable*

___ ___ A copy of the menu – *only if applicable*

___ ___ 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***

___ ___ **Investigator requirement** – Include a current copy of the ***Jackson County***, Missouri **Property Tax Clearance** showing there is no property tax due on any personal property owned by the licensee (or used in the activity and owned by a party related to the licensee or by an entity owned or controlled by or under common ownership or control with the licensee) ***or*** have you included written authorization from Jackson County officials stating that an arrangement for the delinquent property taxes has been made between the county and licensee? Direct all questions to Edwin Stoll, Director of Collections of Jackson County at (816) 881-3187.

___ ___ **Investigator requirement** – Submit a current copy of the health permit (must be from the DBA applying) from the Health Department, 2400 Troost Ave., (816) 513-6247

___ ___ A copy of the fire permit (must be from the DBA applying) – from the Fire Marshal's Office, 635 Woodland Ave., (816) 784-9100 – *only if applicable*

___ ___ All liquor licenses as required from the State of Missouri, Division of Alcohol & Tobacco Control – State Office Building in KCMO, 615 E. 13th St., (816) 889-2574 – *only if applicable*