

DEPARTMENT OF LIQUOR CONTROL
LIHUE CIVIC CENTER, MO'IKEHA BUILDING
4444 RICE STREET, SUITE 120
LIHUE, KAUAI, HAWAII 96766
TEL: (808) 241-4966 FAX: (808) 241-6585

**INSTRUCTIONS FOR FILING AN APPLICATION TO TRANSFER
A CLASS 5, DISPENSER, OR CLASS 11, CABARET, LIQUOR LICENSE**

1. **COMPLETED APPLICATION FORM** signed and certified by the oath of the applicant.
 - a. If the applicant is an **individual**, the application must be signed by the individual applicant.
 - b. If the applicant is a **corporation**, the application must be signed by an officer of the corporation.
 - c. If the applicant is a **limited liability company**, the application must be signed by a member of the company.
 - d. If the applicant is a **partnership**, the application must be signed by a general partner.
2. **CORPORATION: Articles of Incorporation** which have been approved by the State Department of Commerce and Consumer Affairs. If the applicant is a **foreign corporation**, registration with or authorization from the State Department of Commerce and Consumer Affairs to do business in the State of Hawaii must accompany the corporate papers.
3. **LIMITED LIABILITY COMPANY: Articles of Organization** which have been approved by the State Department of Commerce and Consumer Affairs.
4. **PARTNERSHIP:** Registration of partnership with the State Department of Commerce and Consumer Affairs and/or a legally executed partnership agreement between a husband and wife that is not registered with the State Department of Commerce and Consumer Affairs must be signed by both parties and notarized.
5. **PERSONAL HISTORY:** Affidavit of felony charges and authorization for criminal history record clearance from all persons named in the application, and also from the officers, directors and persons who own 25% or more of the outstanding shares of a corporate partner or stockholding corporation. **(Note: All persons must be listed by their full, legal names and not nicknames, abbreviations, or initials in the Application Form and Personal History Form.)**
6. **TAX CLEARANCES** from the **State Department of Taxation** for the applicant and the transferor.
 - a. If the applicant is an **individual**, tax clearance for the individual.
 - b. If the applicant is a **corporation**, tax clearance for the corporation.
 - c. If the applicant is a **limited liability company**, tax clearance for the company.
 - d. If the applicant is a **partnership**, tax clearance for the partnership.
7. **FLOOR PLAN DRAWN TO SCALE WITH MEASUREMENTS.** The requirements for the floor plan will be determined by the Department of Liquor Control.
8. **TAX MAP:** On the tax map, a line shall be drawn around the area covered by a **100 feet radius measured from the perimeter (not the center) of the proposed premises.**

The same kind of marking shall be drawn for the area covered by a **500 feet radius measured from the perimeter of the proposed premises.**

Indicate on the tax map the scale used to measure the radius (Sample: 1 inch = 200 feet) and the directional arrow pointing north (**see sample of tax map**). The

map showing the 100 and 500 feet radii **MUST** be on a single sheet of paper no larger than 8½ x 14 inches.

9. **A LIST** of the tax map key numbers of properties located within **100 feet from the proposed premises** with its owners, lessees of record of real estate, owners of record of shares in a cooperative apartment or individuals on the list of owners provided by the managing agent or the shareholders association, owners and lessees of record of condominium units, and the number of owners of each timeshare unit and their addresses. **(See attached sample.)**

A SECOND LIST with the same information of properties within **100 feet to 500 feet distance from the proposed premises.**

The State of Hawaii and/or the County of Kauai should be listed as property owners if there are State highways or roads and/or County streets, lanes, properties, etc., within 500 feet of the proposed premises.

The list of tax map key numbers shall be numbered in sequence. The number assigned to each tax map key number shall be indicated on the corresponding parcel on the tax map and circled. **(See sample on tax map.)**

10. **LEASE or RENTAL AGREEMENT** between the property owner and the applicant. The lease or rental agreement between lessor and lessee must be in the name of the applicant. Assignment of lease or rental agreement by the lessee to the applicant with the consent of the lessor is acceptable.

11. **CONSIDERATION:** The purchase price of the business for the proposed transfer must be submitted by the transferee.

12. **CASH or CHECK** payable to **Department of Liquor Control** for the following:

a. Filing Fee.....	\$100.00
b. Cost of Publishing Notice of Public Hearing	350.00
c. Temporary license fee, if applicable	<u>60.00</u>
TOTAL.....	<u>\$510.00</u>

13. Before a license is issued, the applicant must accomplish the following:

- a. Knowledge of the KAUAI LIQUOR CONTROL COMMISSION'S RULES & REGULATIONS and the LIQUOR LAWS OF HAWAII, CHAPTER 281 OF THE HAWAII REVISED STATUTES.
- b. Managers are to obtain the Kauai Department of Liquor Control's Blue (On-Premises) Manager's Card and be registered as such.
- c. Liquor license fee, when applicable.
- d. Proof of liquor liability insurance coverage in an amount of \$1,000,000.

14. The department recommends that the applicant makes contact with the State of Hawaii Department of Health for a Food Establishment Permit and the County of Kauai Building Division for a Certificate of Occupancy.