



City Clerk's Office  
City Hall  
50 W. 13<sup>th</sup> Street  
Dubuque, IA 52001-4864  
(563) 589-4120 office  
(563) 589-0890 fax  
ctyclerk@cityofdubuque.org  
www.cityofdubuque.org

## **New Liquor License Applications**

A number of City inspections will be required to determine your eligibility to hold a liquor license. These inspections will take a minimum of 30 days to complete. Please assist us by forwarding all applicable forms and paperwork in a timely manner. Inspection must be completed by the Building and Construction department, The Fire Marshal, the Health Department, the Planning and Zoning Department, and the Police Department

You will begin by submitting an online application to the Iowa Alcohol Beverage Division (Iowa ABD) website.

A criminal and possible financial background “good moral character” investigation will take place. When all of these steps have been satisfactorily completed, and the premise has been inspected and approved, the application will be presented to the Dubuque City Council. City Council meetings are on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month The City Council will then determine whether the applicant is eligible to hold a liquor license in the City of Dubuque.

You will be notified in writing should the City Council deny your liquor license application. Otherwise, you will receive an email from the Iowa ABD with your license attached a few days prior to the effective date.

## **Applicant requirements**

In order to be eligible to hold a liquor, wine or beer license, the law requires the applicant to meet the standards of good moral character. Under Iowa law, applicants are considered to be of good moral character if they:

- Are a U.S. citizen and an Iowa resident, or incorporated to do business in the state. The corporation must be registered and in good standing with the Iowa Secretary of State's office.
- Have not been convicted of a felony during the past five years.
- Have not had any financial interest in an Iowa liquor, wine or beer license which was revoked during the past two years.
- Have “good financial standing” and a “good reputation” to indicate that the applicant will comply with all laws and rules governing the license

Requirements apply to all officers, directors and shareholders of a corporation and general partners in a partnership.

## Steps to follow for NEW applications (non-renewal):

1. Applicant must complete the online application form on the ABD website at [eLAPS Resources | Iowa Alcoholic Beverages Division](#). Please enter a valid email address for the contact person as most contact regarding your application will come through the form of emails.

**\*\*Note -** Hold on to your newly created username and password, as you will need these each year for your renewals.

2. When filling out your online application please be prepared to attach a PDF of a signed copy of the Warranty Deed, Final Sales Contract, Lease, or Written agreement for the license period showing it is owned by or under the control of the prospective licensee.

**\*\*Purchase agreements not accepted\***

Additionally, you are required to attach a PDF of the Premise Sketch. Premise sketch requirements are based on the type of license you are applying for and must be scaled on an 8 1/2 x 11" white paper.

### **All Premise sketches must include:**

- all floors where alcoholic beverages will be sold, served, consumed, stored and/or manufactured,
- must show restroom(s),
- seating for 25 people,
- Indicate alcohol serving locations inside the premises,
- indicate all entrances and exits.

Outdoor service area: must have a designated area and be congruent to the premises. There must be an entrance directly into the outdoor service area and the outdoor service area must be shown on the sketch and labeled as such.

Off-premises Applications: Sketch must include all floors or buildings where alcoholic beverages will be sold, stored, warehoused and/or manufactured. Indicate all entrances and exits, retail sales areas, manufacturing areas (if applicable), or storage areas.

Class "E" and Class "B" Retail Alcohol License applicants: Indicate Square footage of the entire retail sales and alcoholic beverage storage areas of the business, including areas of walk-in alcoholic beverage coolers that are accessible to the public.

3. Contact the City of Dubuque Health department regarding your Food License Application. This application may be required in the serving of alcohol even if no food will be served and this process takes a **minimum of thirty (30) days**. Please factor this time frame into your decision as to when you would like to open for business. The Dubuque Health Department will assist you in this process: 563-589-4102.
4. Contact the City's Inspection and Construction Department at 563-589-4150 to schedule your departmental inspections. They will assist you in scheduling your inspection with the Fire Marshal 563-589-4195 as well.
5. Contact your insurance agent to request he/she provide proof of Dram Shop insurance, including outdoor service endorsement, if applicable, online.

6. Application is sent to the Dubuque Police Department to complete a background check.
7. The City Clerk's office will conduct a financial background also known as a "good moral character" investigation by verifying that there are no outstanding debts owed to the City of Dubuque under the Corporate applicant, all shareholders having 10% or more interest in the corporation and all officers and directors of the corporation regardless of ownership interest, Sole Proprietors and their spouse, even if the spouse owns 0% interest and Non-profit corporations or associations officers listed. Outstanding debt owed to the City of Dubuque could slow down your renewal process.
8. City Clerk's Office places your new liquor license application on the City Council agenda after all departments have signed off that the inspections and investigations have been satisfactorily complete. (City Council meetings are on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month. **IT IS NEVER TOO EARLY TO SUBMIT YOUR APPLICATION. Please keep this schedule in mind as it relates to when you would like your license to go into effect.**
9. Payment for the license is done through electronic fund transfer (EFT) system. You need to fill in your bank's name, routing number and account number during the application process. The Iowa ABD will withdraw the payment for your license once you submit your application for processing.
10. Approximately 3 to 5 days prior to the effective date on your application and after final approval by the ABD, your active liquor license will be emailed to you. You will be required to print it off and post it in a primary location.

Should you have any questions, please contact:

Trish L. Gleason

Assistant City Clerk

50 W. 13th St.

Dubuque, IA. 52001

Phone (563)589-4120

[tgleason@cityofdubuque.org](mailto:tgleason@cityofdubuque.org)

Additional City Department Contact information:

Inspection and Construction  
563-5894150 or  
563-589-4156

Health Department  
563-589-4101 or  
563-589-4102

Fire Department  
563-589-4160

## Valuable information

copied and pasted straight from the Iowa ABD Website

<https://abd.iowa.gov/licensing/licensing-laws-requirements>

### ***Licensing Laws & Requirements***

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#### **Applicant Requirements**

To get a liquor license or wine or beer permit, an applicant must demonstrate 'good moral character.' In Iowa, an applicant is considered to be of 'good moral character' if he or she meets the following criteria:

Is a U.S. citizen and an Iowa resident or incorporated to do business in the state. The corporation must be registered and in good standing with the Iowa Secretary of State's office.

Has no felony convictions. If there is a felony conviction that is more than five years old and the applicant's rights of citizenship have been restored, the applicant may be eligible for a license.

Has not had any financial interest in an Iowa liquor license, wine or beer permit that was revoked during the past two years.

Has 'financial standing' and a 'good reputation' indicating that the applicant will comply with all laws and rules governing the license.

NOTE: When reviewing a person's financial standing, the local authority or the Division may consider the following factors, including but not limited to – 1) amount of financial support and operating funds; 2) prompt payment of state and local taxes; 3) fees and charges for municipal utilities and services; 4) prompt payment of licensing fees and any administrative penalties.

When evaluating a person's 'good reputation,' the local authority or the Division may consider such factors as, but not limited to - 1) if the person has a history of showing disregard for the law; 2) has convictions for selling alcoholic beverages to under aged or intoxicated people; 3) has a history of operating a vehicle while under the influence of alcohol or drugs.

In a partnership or corporation, all requirements apply to all officers, directors, and shareholders. If the business is operated under a sole proprietorship, the spouse is exempt from citizenship and resident requirements if he or she has no ownership interest.

#### **Premises Requirements**

- All licensed premises must meet all requirements of state laws, local ordinances, health regulations and fire regulations as listed below:
- Be owned or under the control of the applicant.
- Be located in the jurisdiction of an approving local authority.
- Be in good repair, clean and free of litter.
- Have separate restrooms for men and women (on-premises consumption).
- Be equipped with running water from a source approved by the local health department (on-premises consumption).
- Have tables and chairs to seat a minimum of 25 people at one time (on-premises consumption).

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<https://abd.iowa.gov/education/legally-speaking/financial-standing-counts>

### ***Financial Standing Counts***

***May 2008***

What can prevent an otherwise qualified applicant from obtaining a license to sell liquor, wine or beer? Simply put, lack of "good moral character." That term includes one that is neither a citizen, resident or a

business incorporated in Iowa, a felon (convicted within the last five years and without restored rights of citizenship) nor lacking good financial standing. The good financial standing requirement often raises many questions and, as such, will be the focus of this article.

By law, that criteria includes verified sources of financial support, adequate operating capital and a record of prompt payment of taxes and debts. The financial standing requirement applies to anyone that has a controlling interest of ten percent or more in the business.

The most common missteps the Iowa Alcoholic Beverages Division sees are failure to pay taxes, dram insurance cancellation and non-payment of debts.

### I. Delinquent Taxes

Failure to pay income or sales taxes, accrued personally or as a business, is a clear example of lack of good financial standing. When a licensee fails to file or pay taxes, the Iowa Department of Revenue and Finance issues a tax notice requesting payment in full. If the tax remains unpaid, the Iowa Alcoholic Beverages Division is notified of the delinquency for the purposes of suspending the license.

One of the traps licensees sometimes fall for is treating sales taxes as operating capital. Then, when time comes to pay the taxes, the necessary cash is not available. The Division recommends that the monies be set aside in a separate account to ensure timely payment to the Revenue Department, as required by law.

### II. Dram Shop Cancellations

Dram shop insurance must remain in effect during the entire period of the license. A thirty-day cancellation notice is required to ensure the Division has adequate time to begin the process of suspending the license.

Routine cancellation of dram shop protection indicates a lack of good financial standing. As such, the Division will deny or revoke a license upon receipt of three or more notices of cancellation during the twelve-month license period. Licensees, therefore, should take the necessary steps to assure that dram premiums are paid in a timely fashion.

### III. Outstanding Debts

Non-payment of other debts can equally jeopardize an applicant's chances of obtaining or maintaining a license. The two biggest red flags the Division sees are unpaid utilities and license fees. Another example is the failure to pay your Class E licensee, beer wholesaler or wine wholesaler for the products they supply.

A record of late or unpaid fees to the local municipalities, as well as suppliers, proves poor financial standing. In addition, all fees associated with obtaining a license and any administrative penalties imposed must be paid in full and on time. Neglecting financial responsibilities of any kind can drastically diminish the chances of a license application being approved.

### IV. Conclusion

The issuance of an Iowa liquor license is contingent on the applicant's good moral character, including their financial standing. Adversely stated, the Division or any local licensing authority may deny a license based on the grounds of an applicant's lack of good financial standing. Delinquent taxes, dram insurance cancellations and failure to satisfy other outstanding debts are all factors in decided whether to issue a license.

While it is not always easy to meet financial obligations in today's economy, licensees are encouraged to be punctual and methodical in their business dealings. Whether a liquor license will be granted or not is never certain, but as Benjamin Franklin said, "In this world nothing is certain but death and taxes."