



**CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 Muir Road, Martinez, CA 94553
Telephone: (925) 655-2700 Fax: (925) 655-2758**

**Alcoholic Beverage Sales Commercial Activities Ordinance (“Alcohol Ordinance”)
RESTAURANT EXEMPTION**

Full-service restaurants that obtain a minimum of 67 percent of gross receipts from the sale of meals, food and non-alcohol drink products, and submit evidence of total meal and other non-alcohol product sales, are exempt from the Alcoholic Beverage Sales Commercial Activities Ordinance, and the associated annual \$400 fee. An establishment that sells or serves only sandwiches (whether prepared in a kitchen or made elsewhere and heated up on the premises) or only snack foods, or both, is not a full- service restaurant. The restaurant must have an ABC alcohol license type 41 or 47 to qualify for an exemption.

If your full-service restaurant meets the above criteria for exemption, please complete and NOTARIZE this form.

BUSINESS OWNER(S) NAME _____
NAME OF BUSINESS _____
BUSINESS ADDRESS _____
PHONE NUMBER _____
RESTAURANT ASSESSOR PARCEL NUMBER _____
BUSINESS LICENSE NUMBER _____
ABC APPLICATION OR LICENSE NUMBER _____
ABC LICENSE TYPE(S) _____
PROPERTY OWNER’S NAME _____

I (we) hereby verify that the restaurant listed above is a full-service restaurant that obtains a minimum of 67 percent of gross receipts from the sale of meals and other food and non-alcohol drink products. I (we) further understand that when requested by the County, we will submit evidence to verify that I (we) meet the exemption requirement.

_____	_____	_____
Business Owner	Signature	Date
_____	_____	_____
Community Development Div. Approval	Signature	Date

(ATTACH NOTARY)
applicatin.doc

G:\Current Planning\ALCOHOL ORDINANCE\restaurant exemption

SEE SUBMITTAL REQUIREMENTS ON REVERSE

Please submit the following information with your Restaurant Exemption Application:

- _____ Signed **and** notarized copy of this Restaurant Exemption application form
- _____ Floor Plan
- _____ Full Menu (including beverages)
- _____ Business Hours
- _____ Gross receipts for the last 6 months showing percentage alcoholic beverage sales versus the percentage of food sales. OR if this is a request for new alcohol sales, a signed and notarized copy of this document attests that you understand and agree to comply with the requirement of the Alcohol Ordinance that a minimum of 67 percent of gross receipts must be from the sale of meals, other food, and non-alcoholic products.

Your restaurant must meet the following definition to be eligible of the RESTAURANT EXEMPTION:

County Code §82-38.204(i)

"Full-Service Restaurant." A place that: (1) is primarily, regularly and in a bona fide manner used and kept open for the serving of at least dinner to guests for compensation; and (2) has kitchen facilities containing conveniences for cooking an assortment of foods that may be required for those meals; and (3) obtains a minimum of sixty-seven percent of its gross receipts from the sale of meals and other food and drink non-alcoholic products; and (4) submits evidence of total meal and other non-alcoholic product sales to county officials upon request for purposes of determining its status under this ordinance. A place that sells or serves only sandwiches (whether prepared in a kitchen or made elsewhere and heated up on the premises) or only snack foods, or both, is not a full-service restaurant.

****MUST HAVE TYPE 41 OR 47 ALCOHOL LICENSES ONLY****

DCD Staff:

CC: Binder
Tax Collector