

NYC Starter Guide to Opening Your BAR / NIGHTCLUB



CREATE YOUR BUSINESS

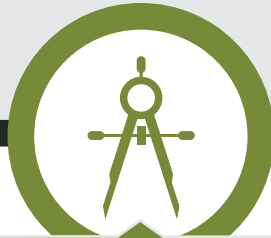
- **Plan your business.** NYC Business Solutions offers free support. They can help you comply with government requirements, save money through incentives, and reach your first customers. Learn more at [nyc.gov/bizsolutions](https://on.nyc.gov/bizsolutions).
- **Register your business.** LLCs, Corporations, and LPs register with NY State (on.nyc.gov/state). General Partnerships and Sole Proprietorships register with the County Clerk (on.nyc.gov/clerk).
- **Apply for an Employer Identification Number (EIN)**, also known as a Federal Tax ID. This tracks your business for taxes. If you are a sole proprietor, you may be able to use your Social Security Number instead. Visit on.nyc.gov/ein.
- **Apply for a Certificate of Authority**, or Sales Tax ID, from NY State Department of Taxation and Finance in order to sell products and services. Apply early to avoid delays receiving other permits. Learn more at on.nyc.gov/taxid.
- **Research required insurance**, such as workers' compensation insurance. Some are needed for permits and licenses. Learn more at on.nyc.gov/bizinsurance.



Food service and activities like billiards and dancing change the permits and licenses you need. Read through this guide and start applications early and in sequence so you can open on schedule.



Comply with wage laws to avoid costly fines. Learn more at on.nyc.gov/wages.



PLAN YOUR SPACE

- **Find a location** zoned for your business and at least 500 feet from a school or worship place (on.nyc.gov/zoning).
- **Consult a design professional** to make sure the space complies with building and operating codes and to plan any changes. Make sure your architect or contractor is licensed at on.nyc.gov/hireDOBpro.
- **Sign your lease.** Before signing, talk to a lawyer to make sure the agreement is good for you. Some landlords will allow you to sign a contract committing you to a full lease only if the local Community Board votes in favor of your liquor license application. Get free legal advice at on.nyc.gov/bizlegaladvice.

Taking over a former bar's space can save construction time and costs, but only if it was in compliance.

Cosmetic changes can add time and paperwork, so consider how each change affects your timeline.



Historic districts and buildings are regulated in ways that slow or limit changes in the design or use of the space. Learn more at on.nyc.gov/landmarks.

Basements often cannot be used as workspace or for other uses beyond storage.



Choose your location with your liquor license application in mind. Your location and the opinion of the local Community Board will be considered in your NY State liquor license application. Learn more at on.nyc.gov/onpremisealcohol.

Your construction should match what your business permits require. Make sure your licensed professional plans spaces and utilities connections to match the requirements of your business permits. Learn more at on.nyc.gov/restaurantpace.

Use this guide to help you plan your way to success. Get started today at nyc.gov/BusinessExpress.



APPLY FOR CONSTRUCTION PERMITS

- **Have your licensed professional draw plans for proposed changes.** The space proposed must comply with regulations from the NYC Department of Buildings, NYC Department of Health, and Fire Department. Find a professional at on.nyc.gov/hireDOBpro.
- **Submit plans and required documents.** Only a registered architect or professional engineer may submit plans to the NYC Department of Buildings.
- **Monitor the status of your job's approval** on NYC Department of Buildings BISWeb at on.nyc.gov/bis.

Digital plan submissions and review saves time.

Have your professional use the NYC Development Hub, including for Pro-Cert. Learn more at on.nyc.gov/hub.



Professional Certification or "Pro-Cert" could save you weeks in receiving permits. Pro-Cert allows a professional to self-certify projects without initial review from NYC Department of Buildings. Learn more at on.nyc.gov/ProCert.



BEGIN CONSTRUCTION

- **Post approved permits and safety information** on your work site as instructed by agencies issuing permits.
- **Begin construction.** Monitor progress with your licensed professional.
- **Consult your licensed professional about progress inspections and their cost,** which may not be included in your project bid.
- **Arrange for final inspections and sign-off** with your licensed professional and city agencies.
- **Obtain a Certificate of Occupancy,** Temporary Certificate of Occupancy, or Letter of Completion from the NYC Department of Buildings before inhabiting the building or finalizing your liquor license. Learn more at on.nyc.gov/CofO.



Bike racks for the sidewalk outside your business can be requested from the NYC Department of Transportation. Learn more at on.nyc.gov/cityracks.



Canopies must be approved by NYC Department of Transportation. Learn more at on.nyc.gov/canopy.

Signs, if nailed or screwed into the building or if illuminated, must be approved by NYC Department of Buildings. Learn more at on.nyc.gov/DOBsigns.



PREPARE TO OPEN

- **Get licensed to serve alcohol** with NY State Liquor Authority. Before you begin, be sure you have a Sales Tax ID, insurance, a lease, and a Certificate of Occupancy. Plan ahead as the process requires Community Board consultation and requires an investment of time and cost. In some cases, temporary licenses are granted. Learn more at on.nyc.gov/onpremisesalcohol.
- **Begin classes for your Food Protection Certificate,** as a holder must monitor all drink and food preparation. Start the 5-day or online course early: a certificate is required for a Food Establishment Permit. Learn more at on.nyc.gov/foodcert.
- **Apply for your Food Service Establishment Permit,** required even if you are only serving drinks. Learn more at on.nyc.gov/fsep.
- **Get licensed for all activities you will offer customers.** The NYC Department of Consumer Affairs requires licenses for three or more billiard tables (on.nyc.gov/pooltable) or gaming machines (on.nyc.gov/gaming), and for dancing or cabarets (on.nyc.gov/cabaret).
- **Limit the noise from your establishment.** As a rule of thumb, your establishment should not sound louder inside nearby residences than a refrigerator, or louder on the sidewalk than a lawn mower during rush hour or a conversation during quiet hours. Learn more at on.nyc.gov/noise.
- **Hire a waste carter.** Learn more at on.nyc.gov/carter.



Liquor licenses cannot be taken over by a new owner from an old owner of the same bar.

Place of Assembly Certificates are required for any establishment that will host 75 or more people. Learn more at on.nyc.gov/infoPofA.

Security guards must be licensed by NY State. A copy of their licenses must be kept in your establishment. If not, you risk being shut down by the Police Department. Learn more at on.nyc.gov/bouncers.



OPEN YOUR DOORS

Congratulations! You've opened your doors. Plan ahead to keep things running smoothly.



STAYING OPEN

Read "**Best Practices for Nightlife Establishments,**" a guide developed by the Police Department and NYC Hospitality Alliance. Read it at on.nyc.gov/nightlifebestpractices.

Show **prices** and print your **business name and address on receipts.** Learn more tips at on.nyc.gov/10things.

Use the **NYC Checklist for Required Signs for Restaurants and Bars.** Get the checklist at on.nyc.gov/restaurantssigns.

Tell your employees what you expect and how much you pay, as required by law. Learn more at bit.ly/NYlaborlaw.

Renew your business licenses and permits.

Prepare your taxes. You need to submit federal forms for alcohol dealers (on.nyc.gov/federalcohortax) and for estimating employee tips (on.nyc.gov/tiptax). A NYC liquor tax is also due each year (on.nyc.gov/cityalcoholtax).

For comprehensive information, visit **NYC Business Express** at nyc.gov/BusinessExpress.

NYC Business Solutions, a set of services offered by the NYC Department of Small Business Services, can help resolve questions and move your business forward through permit and license approvals. Visit on.nyc.gov/navigate or call **311** and ask for "NYC Business Solutions Navigating Government."



Provide feedback on this NYC Starter Guide v2
on.nyc.gov/guidesurvey2