



VICTUALING LICENSE APPLICATION FACT SHEET

Who must obtain this license:

R.I. Gen. Laws § 5-24-1(c) defines a "victualing house" as "a business where food is prepared and/or consumed on the premises." "Victualing" means "provide with food or other supplies."

In *Southland Corp. v. City of Warwick*, 486 A.2d 610 (R.I. 1985), the R.I. Supreme Court said a convenience store where coffee is prepared and sold by the cup, iced soft drinks are prepared and served, a microwave oven for heating sandwiches and other foods purchased on the premises is available for customers to use, and where candy, doughnuts, soda, and various other prepackaged and ready-to-eat foods are sold, could be considered a "victualing house" even though it had no dining area. The Town Council has the authority to decide whether a business is a "victualing house" that needs a victualing license.

License fee: The license fee is \$25. The license expires on December 1 and must be renewed each year.

Requirements for license applications:

- *Tax certificate.* The applicant must submit written certification from the Richmond Tax Collector that neither the applicant nor the property owner is in arrears on payment of any municipal taxes or fees.
- *Good Standing.* Corporate applicants must submit a certificate of good standing issued by the R.I. Secretary of State's Office.
- *Food Service Permit.* The person operating the business must have a permit to operate a food service establishment issued by the R.I. Department of Health. *To determine whether you need this permit, refer to the R.I. Department of Health's Food Code.*

Requirements for new licenses:

A victualing license is issued to a business for a particular location. The license cannot be transferred to another business or another location. If the licensed business changes ownership, a new license is necessary. If the business location changes, a new license is necessary.

An applicants for a license at a new location must submit:

- *Zoning certificate or determination.* A zoning certificate (for existing uses) or zoning determination (for proposed uses) issued by the Zoning Enforcement Officer.
- *C.O.* If the location was not previously a licensed victualing house, the applicant must submit a certificate of use and occupancy issued by the Building Official.

Requirements for holding a license:

- A licensed victualing business cannot operate between 2 a.m. and 6 a.m. without an "additional hours" license issued by the town.
- Licensees are required to "maintain good order" and prohibit disorderly conduct in the building and on the premises. A licensee who fails to do so could have its license revoked and could be prosecuted for an ordinance violation.

NOTE: This summary is for the convenience of applicants. For all the legal requirements of this license or permit, you should consult the applicable state statute and town ordinance.

VICTUALING LICENSE

Town Clerk's License Application Checklist

Applicant: _____

Date Application Received: _____

License Number: _____ **New:** _____ **Renewal:** _____

TAXES: Richmond Tax Collector's certification that taxes are current.	
CORPORATE: R.I. Secretary of State's Office certificate of good standing (<i>for corporations</i>)	
LICENSE FEE: \$25	
BLDG. INSPECTION: A certificate of use and occupancy from the building official (<i>for new or substantially renovated buildings</i>).	
ZONING: Zoning determination (proposed uses) or zoning certificate (existing uses) <i>for new licenses and new locations only</i>).	
HEALTH DEPT: Permit to Operate a Food Service Establishment	



Town of Richmond, Rhode Island

Town Clerk's Office, 5 Richmond Townhouse Road, Wyoming, RI 02898 (401) 539-9000

APPLICATION for a MUNICIPAL LICENSE

DATE OF APPLICATION	<input type="checkbox"/> New License	<input type="checkbox"/> Renewal
NAME OF INDIVIDUAL OR BUSINESS TO HOLD THIS LICENSE		
THE APPLICANT IS <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATION <input type="checkbox"/> LIMITED LIABILITY CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LIMITED PARTNERSHIP <input type="checkbox"/> JOINT VENTURE		
APPLICANT'S BUSINESS MAILING ADDRESS Street or P.O. Box		
City or Town	State	Zip Code
Business telephone number(s)	Website:	
INDIVIDUAL MAKING THIS APPLICATION: Name		
Street		
City or town	State	Zip Code
Telephone number(s)	E-mail address:	
BUSINESS LOCATION in Richmond Street address		
Tax Assessor's Plat and Lot number		
The undersigned, being duly sworn, upon oath does depose and say: 1. I am an authorized representative of this business. 2. The information on both pages of this application is true and correct. 3. This business is in compliance with all applicable town ordinances and regulations, state statutes and regulations, and federal statutes and regulations. 4. I have reviewed the checklist of documents that are required to obtain this license. I will be able to produce the required documents, or prove I have requested them, before the Town Council meeting at which this application will be considered.		
SIGNATURE _____		
PRINT NAME _____		
Sworn and subscribed to before me at _____, County of _____, State of Rhode Island, this _____ day of _____, 20 ____.		
_____ Notary Public Print name: My commission expires / /		

VICTUALING LICENSE APPLICATION

Name of restaurant or other business:
Owner of the business to be licensed: Name: Address: Telephone number(s):
Person responsible for the daily operation of this business: Name: Address: Telephone number(s):
<i>Days and hours business is open:</i>
<i>What part of the building is used for preparation and consumption of food?</i>
<i>Does this business hold a license to serve alcoholic beverages?</i>

OFFICE USE ONLY

Date of Town Council approval	Date license issued
Fee paid:	Date license expires
License issued by:	