

VINTAGE WINE AUCTION - MUNICIPALITY
VWAM - \$50.00 - Section 311.193

1. *Completed application form* filled out in black ink or typed, signed by the applicant (Sole Owner) and notarized. If applying as partnership, **ALL** partners must sign the application. Corporation or Limited Liability Company applications requires **only the Managing Officer** sign the application.
2. *Bank Draft, Money Order, Certified Check or Cashier's Check*, payable to the Director of Revenue, State of Missouri, for the correct amount of pro-rated license fee.
3. Submission of *Criminal Record Check* issued by the Missouri State Highway Patrol Criminal Records Division dated within six months of the date of the application for the applicant, or for each partner, or for Corporations and LLC's, the managing officer, each officer, each director, and each shareholder, member or person owning, legally or beneficially, directly or indirectly, ten percent or more of the stock or interest in the business.
4. Copy of *Missouri Retail Sales Tax license* in the name of the applicant, or in all partners' names, or in the (Corporation's or L.L.C.) name with the correct address of the business to be licensed.
5. Statement of *No Sales/Use Tax Due* from Missouri Department of Revenue, Business Tax Bureau, 3rd Floor, 301 W. High Street, Jefferson City, MO 65102.
6. *Recent photograph* of applicant, or each partner, or the managing officer (Corporation or LLC), without hat.
7. Recent *photograph* of the front of the premises to be licensed.
8. Copy of applicant's, or each partner's, or the managing officer's (Corporation or LLC) *paid personal property or real estate tax receipt* for the year immediately preceding the date of the application.
9. Copy of applicant's, or each partner's, or the managing officer's (Corporation or LLC) *voter's registration card or certificate*.
10. Copy of *city license or letter of approval* from the City for premises to be licensed in an incorporated area.
11. Copy of *lease, rental agreement or contract of sale, or copy of warranty deed* for premises to be licensed (must be in the name of person, persons or entity applying for the license).
12. Corporations and LLC's must provide a copy of *Certificate of Good Standing* from the

Missouri Secretary of State within the preceding 90 days. (Information available at www.sos.mo.gov) and [Completed Managing Officer Appointment Form](#).

13. Must meet [special requirements](#) of Section 311.193.2 and .3, RSMo. (See Below)

Applicable Statutes

Vintage wine, municipalities may sell by sealed bids--issuance of license, restrictions--consumption on premises prohibited, when--shipping--wine tastings--violations, penalty

311.193. 1. As used in this section, the term "vintage wine" means bottled domestic white, rose, or sparkling wine which is not less than five years old, domestic red wine which is not less than ten years old, or imported white, rose, red, sparkling, or port wine which is not less than three years old.

2. Notwithstanding any other provisions of this chapter, any municipality legally owning, controlling or possessing a private collection of vintage wines in their original packages is authorized to sell such vintage wine through a sealed bid process. The municipality may set a minimum bid and may reserve the right to reject all bids. The municipality shall designate a municipal employee to sell vintage wine through a sealed bid process who shall ensure that each bottle of vintage wine sold from a private collection has a permanently fixed label stating that the bottle was acquired from a private collection.

3. The supervisor of liquor control is hereby authorized to issue a license to a designated municipal employee provided that no such license to sell vintage wine through a sealed bid process may be issued to any person, who:

(1) Has been convicted of a felony or of any offense under this chapter;

(2) Either possesses a current license to sell intoxicating liquor at wholesale or retail, or previously possessed such a license which was revoked for cause.

4. The license to sell vintage wine through a sealed bid process shall be in addition to any license or permit requirements imposed by ordinance within the county or municipality.

5. No vintage wine sold through the sealed bid process shall be consumed on the premises of the municipality, nor shall any original package of vintage wine be opened on such premises, except as provided herein. A license to sell vintage wine through a sealed bid process shall be issued for a period of one year and shall authorize the designated municipal employee to sell such wine not more than six different times during that year. The license shall be issued in such form and upon completion of such application as may be required by the supervisor of liquor control. The fee for such license shall be fifty dollars per year which shall be paid by the municipality.

6. The municipality legally owning, controlling, or possessing a private collection of vintage wines in their original packages may ship the vintage wine in such packages from any location within the state of Missouri to the designated municipal employee licensed pursuant to this section. Upon receipt of the vintage wine the designated municipal employee shall be responsible for the storage and warehousing thereof, for the labeling thereof pursuant to the requirements of subsection 2 of this section, for the delivery of the vintage wine to the purchasers, and for the payment and transfer of any applicable state and local taxes in connection with the sale.

7. The designated municipal employee licensed to sell vintage wine pursuant to this section may hold vintage wine tastings on the premises where the vintage wine is stored within the period of twenty-four hours immediately preceding the first date on which sealed bids will be accepted.

8. The designated municipal employee licensed pursuant to this section shall be subject to all restrictions, regulations, and provisions of this chapter governing the acquisition, storage, and sale of intoxicating liquor for off-premises consumption which are not inconsistent with the provisions of this section.

9. A municipal employee designated by the municipality to sell vintage wine through a sealed bid process who affixes a label to any bottle of wine, as provided in subsection 2 of this section, without having determined through the exercise of reasonable diligence that the wine was acquired from a bona fide private collection, shall be guilty of a class C misdemeanor and, upon a finding of or plea of guilty with regard to any such misdemeanor, shall be subject to a cancellation of the license issued pursuant to subsection 3 of this section.

(L. 2005 S.B. 262)