

INSTRUCTIONS TO APPLICANTS RE: SECTION 23985.5 B&P CODE

Section 23985.5 of the Business and Professions Code requires that you mail notice of your ABC license application to every resident and, in some cases, to every owner of real property¹ within a 500-foot radius of your proposed premises. Form ABC-207-E is the notice. You must mail the notice as soon as possible to avoid a delay in your license application. A delay could result because the 30-day protest period begins when you post your premises or mail the notice, whichever is later.

Please follow these steps:

Step 1: Measure - Measure the 500-foot radius by straight line from the closest exterior wall of your premises to the other structure(s). You may use a scaled geographical tract map maintained by the city or county for determining the airline distance.

Step 2: Gather Names and Addresses - Gather the addresses of all residents of real property within the 500-foot radius. Also gather names of property owners within the 500-foot radius if your local jurisdiction will provide, free of charge, a list of the names and addresses of the real property owners.

Step 3: Mail the Form ABC-207-E Notice - Photocopy Form ABC-207-E as needed. Put each in an envelope with proper postage, address, and mail to the residents and, if applicable, property owners within a 500-foot radius.

Example Address:

Resident/Occupant
1234 Main St
Any Town, California, Zip Code

Step 4: Complete Form ABC-207-F, Declaration of Service By Mail - Complete Form ABC-207-F. Attach Form ABC-207-E. Return both to the ABC District Office as soon as possible.

Business and Professions (B&P) Code

23985.5. 500 foot notification. (a) Notwithstanding any other provision of this article, in any instance affecting the issuance of any retail license at a premises that is not currently licensed or for a different retail license, the department shall require that the applicant mail notification of the application to every resident and owner of real property within a 500-foot radius of the premises for which the license is to be issued.

(b) The department shall require the applicant to provide notification to the owners of real property, as required in subdivision (a), only if the local jurisdiction in which the license is to be issued provides, free of charge, a list of the names and addresses of the owners to the applicant.

(c) For the notification required by subdivision (a), the department shall develop bilingual notices in English and Spanish. The notice shall include information on how to obtain the notice information in a minimum of three of the predominant languages other than English or Spanish in the state, according to the most recent United States decennial or special census information.²

24013. Protests. (a) Protests may be filed at any office of the department at any time within 30 days from the first date of posting the notice of intention to engage in the sale of alcoholic beverages at the premises, or within 30 days of the mailing of the notification pursuant to Section 23985.5, whichever is later..

¹ "Real property" is defined as land and anything growing on, attached to, or erected on it. Real property does not include anything that may be severed without injury to the land.

² As a courtesy, the department provides the notice not only in English and Spanish, but also Korean, Chinese, Vietnamese, and Arabic. All six languages are contained on one form (Form ABC-207-E).