



# EXPANDING THE NUMBER OF OREGON'S LIQUOR RETAIL LOCATIONS

OPEN RECRUITMENT  
FOR INDEPENDENT CONTRACTORS

# OPEN RECRUITMENT

- A market-driven open recruitment process for appointing up to 17 new liquor agent contracts in the Portland metro area
- Objective is to improve customer convenience by adding retail liquor locations with a measured, but consistent approach to growth

# LIQUOR OUTLET DENSITY

- 30 years ago, one liquor store for every 12,000 Oregonians (1 to 12,000 ratio)

Area	Population*	# Stores	Population Per Store
Washington	560,465	20	28,023
Clackamas	391,562	17	23,033
Multnomah	765,775	31	24,702
Tri-County	1,717,812	68	25,262
Statewide	3,962,710	248	15,979

\*2014 Data, Portland State University Population Research Center

- Initially focused on tri-county Portland metro area
  - Clackamas County
  - Multnomah County
  - Washington County
- If successful, expand the recruitment statewide



# OREGON SPIRITS CONSUMER TRENDS

- More sophisticated
- Portland's renowned mixology culture
- Greater demand for modern, consumer-friendly shopping
- Higher expectation of convenience
- Desire for wide selection of spirits



# DIFFERENCES FROM EXISTING PROCESS

- Applicants may apply for multiple locations
  - Each will be considered separately
- Existing liquor sales agents can only apply for more than two contracts under Open Recruitment
- Minor control plans
  - Applies to proposals that do not have a separate entrance for spirits
- Open to a variety of different business models where customers can purchase spirits
  - Could include: adding a spirits section inside existing business, a traditional liquor store, a boutique retail location, etc.

# EXISTING LIQUOR SALES MODELS

## Types of Retail Locations

- 1) **Free standing** – Sells only distilled spirits and related items or sells distilled spirits, wine, beer and related items  
(150 locations)
  - 2) **Located in another business**
    - a) **No separate entrance** - under the roof of another business  
(91 Locations)
    - b) **Separate entrance** - under the roof of another business  
(7 locations)
- \* Beer and Wine sales need a separate liquor license

# FREE-STANDING LIQUOR STORE



Cedar Mill Liquor Store



Separate Entrance for Liquor



Sunriver, OR



Sisters, OR



Same Entrance for Liquor





Lakeview, OR

Deli, Convenience, & Liquor



Willamina, OR

Lumber, Hardware, & Liquor

Pharmacy & Liquor



Sheridan, OR

Sporting Goods & Liquor



Crescent, OR

# MARKET-FOCUSED CREATIVITY

- Innovation
- Entrepreneurs
- All types of retail models
- Widening range of choices for customers



# SELECTION CRITERIA

- Business proposal
- Capital investment and financing
- Retail or business experience
- Knowledge of alcohol industry
- Location
  - Impact on existing agents
  - Convenience
- Estimated sales and revenue

# TIMELINE

- Open Recruitment Period
  - Applicant Informational Meetings
  - Application Review
  - Commission Selection
  - Public notice at Commission approved location
  - Final approval of store opening (no public opposition)
  - Final approval of store opening (public opposition)
- 10/16/15 – 1/15/16
  - 10/16/15 to 10/30/15
  - 10/30/15 to 2/15/16
  - February Commission Meeting
  - February after Commission Selection
  - February/early March (14 days after posting)
  - March Commission Meeting

## Oregon Liquor Control Commission

### Open Recruitment - Liquor Retail Locations



The OLCC is initiating a market-driven open recruitment process for appointing liquor store contracts. The open recruitment process is designed to be an expanding liquor sales in underserved areas with a measured, but consistent amount of growth. The OLCC will hold an open recruitment process in October.

[Open Recruitment Process](#)

[Meeting Calendar](#)

*Sign-up for email alerts to receive updates when new information is available*

#### Get a Liquor License

Anyone who manufactures, distributes or sells alcoholic beverages in Oregon must have a liquor license.

[Liquor Licensing information](#)



#### Get a Service Permit

Oregon law requires you to have a service permit if you work at a business with a liquor license that allows customers to drink on the premises and you mix, serve, or sell alcohol in any manner.

[Service Permit information](#)  
[Test Results](#)



#### Hot Topics

[2015 Legislative Session Summary](#)

[2015 Allocation of Liquor Revenue to Cities, Counties, and State General Fund](#)

[Recreational Marijuana & Liquor Licensed Businesses](#)

[Recreational Marijuana Advisory Committee & Subcommittee Meeting Calendar](#)



#### Minors and Alcohol

Keeping alcohol out of the hands of minors is a priority for the OLCC.

[What You Can Do](#)

[Oregon's Alcohol Laws and Minors](#)

[Wasted - A Video Aimed at Curbing Underage Drinking](#)



# OLCC Liquor Stores and Products

- Agency Overview
- OLCC's Distilled Spirits Program
- Contact Retail Services
- Liquor Stores & Products Home Page
- OLCC Website

## Open Recruitment - Liquor Sales Outlets



- [Overview](#)
- [News](#)
- [Subscribe to Email Alerts](#)

**Overview**  
Open recruitment will begin October 16, 2015. Recruitment packets will be available soon. Applicant informational meetings will take place October 16-20, 2015.

### Open Recruitment Details - Liquor Sales Outlets

**Sign up for our free subscription service** and get notified by email when new information is available on this open recruitment.

[Back to the top](#)

### News

[News Release: OLCC Commissioners embark on a plan that could add 17 new liquor outlets in the Portland metro area](#)

[Back to the top](#)

### Subscribe to Email Alerts

**Sign up to receive email alerts** for application information and updates on the open recruitment process.

Application Information & Updates

Sign up for email alerts

# Oregon.gov/OLCC

## Overview

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[Open Recruitment Details - New Retail Liquor Locations \(PDF\)](#)

## Overview of New Retail Liquor Locations:

- [Advertisement](#)
- [Information Sheet](#)
- [Retail Sales Agent Selection Procedure and Criteria](#)

## Application Packets:

- **Individual**
  - [Individual Application](#)
  
- **LLC**
  - [LLC Application](#)
  - [Managing Member - Individual History Packet](#)
  - [Premises Manager - Individual History Packet](#)
  
- **Corporation**
  - [Corporation Application](#)
  - [Individual Supervising Premises Manager - Individual History Packet](#)
  - [Premises Manager - Individual History Packet](#)

## Additional Information:

- [Retail Sales Agent Agreement - SAMPLE](#)
- [Compensation for Retail Sales Agents](#)
- [Authorized Related Items List for Exclusive Stores](#)
- [Portland/Metro Liquor Stores](#)
- *Product Category Sales Data (coming soon)*



# OPENINGS FOR OPERATORS OF NEW RETAIL LIQUOR LOCATIONS

*OLCC is recruiting applicants for new retail liquor locations. The open recruitment process is a market-driven effort to improve customer convenience by expanding retail liquor locations with a measured, but consistent amount of growth.*

The Oregon Liquor Control Commission is accepting applications for up to 17 (total) new retail liquor locations in the following counties:

**Clackamas County  
Multnomah County  
Washington County**

Applicants are evaluated on background, knowledge and work experience in:

- **Retail business management**
- **Inventory/cash management**
- **Retail sales and operation**
- **Customer service/public relations in a retail environment**
- **Financial ability to open and operate a retail liquor location**

A detailed business plan will be required as part of the application process.

For additional information on open recruitment for new retail liquor locations and application information, visit:

[http://www.oregon.gov/OLCC/LIQUORSTORES/Pages/liquorsalesoutlets\\_openrecruitment.aspx](http://www.oregon.gov/OLCC/LIQUORSTORES/Pages/liquorsalesoutlets_openrecruitment.aspx)

Questions can be directed to [OLCC.RetailServices@oregon.gov](mailto:OLCC.RetailServices@oregon.gov) or call 503-872-5020 (toll-free 1-800-426-2004, Dept # 62). Provide your name, email address and phone number. Applications can also be picked up at 9079 SE McLoughlin Blvd., Portland, OR 97222.

An application with a business plan must be received at OLCC's main office in Portland at the above address, by 5:00 PM, Friday, January 15, 2016. Applications received after this deadline will not be accepted. Additional open recruitments for these areas and others in the state may occur in the future.



# INFORMATION SHEET FOR NEW RETAIL LIQUOR LOCATIONS

The Commission will consider proposals for retail liquor locations to be operated as exclusive or non-exclusive in Clackamas, Multnomah and Washington counties. These locations may be:

- Exclusive - Traditional retail liquor locations selling only distilled spirits and authorized related items (i.e. mixers, tobacco, glassware)
- Non-Exclusive - Distilled spirits are sold in conjunction with another business which may include beer, wine and growers

Keep in mind:

- There are limitations on who can be appointed a retail sales agent. Please review the document "Acknowledgement of Eligibility" in the application packet for further information.
- It may take years to build the business.
- Sales vary within seasons and economic conditions.
- An exclusive liquor store can only sell authorized related items. (This may be limited by leasing restrictions).
- Licensees (i.e. restaurants, bars) are able to purchase distilled spirits at any retail liquor location within the state.
- A separate Off-Premises Sales license must be obtained to sell beer, wine, cider and some vermouths. Sales of beer, wine, cider and vermouth to licensees is prohibited.
- Agents will pay all expenses to operate the liquor store from monthly compensation.
- The state provides the distilled spirit inventory. Retail sales agents do not purchase or own the distilled spirits inventory.
- Cities and counties may require other license types or permits to operate in their jurisdiction.

## SALES AND COMPENSATION

Sales will vary based on the location and the number of products available for sale.

Compensation calculated based on store type		
Exclusive Liquor Store		Non-Exclusive Liquor Store
Compensation for an exclusive agent operating this type of store is a fixed monthly base rate based on liquor sales ranging from 14.25% of the first \$10,000 of monthly distilled spirit sales to \$2,700, plus two variable rates. Currently, the variable rate for consumer sales is 8.15% and for licensee sales is 6.36%. Variable rates are periodically adjusted during a biennium to meet Legislative mandates.	OR	Compensation for a non-exclusive agent is 14.25% of the first \$10,000 of monthly distilled spirit sales, plus two variable rates. Currently, the variable rate for consumer sales is 8.15% and for licensee sales is 6.36%. Variable rates are periodically adjusted during a biennium to meet Legislative mandates.
Please see Compensation for Retail Sales Agents document.		

## CONDITIONS OF APPOINTMENT

- A. Hours of operation to sell distilled spirits: No earlier than 7 a.m. or no later than 10 p.m. any day of the week; required minimum of 8 hours per day Monday-Saturday which must include the hours between 12 noon and 6 p.m. OLCC recommends retail liquor locations be open on Sunday and holidays to meet consumer convenience and demand.
- B. Present a Statement of Funding Sources and supporting documentation showing adequate finances for:
1. Start-up costs, operating expenses (rent, payroll, etc.), store improvements, fixtures and equipment, etc.
  2. Purchase a point-of-sale cash register computer system or reconfigure an existing computer system to meet reporting requirements to OLCC. The system must transmit daily liquor sales and daily liquor inventory to OLCC beginning on the opening date. The required daily inventory information will also be posted to Oregon Liquor Search. The bank card processing system must be separate from any other computer system and comply with Payment Card Industry Data Security Standards from the opening date.

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## RETAIL SALES AGENT SELECTION PROCEDURE AND CRITERIA

### Selection Procedure:

- 1) When the Commission fills a retail sales agent vacancy, the Commission seeks applications from the public.
- 2) A vacancy is advertised via a variety of methods, i.e. internet postings, other online media, or newspapers.
- 3) After an application deadline, applications will be screened according to selection criteria and qualified applicants will be selected for interview. The interview committee scores the applicants and ranks them by qualifications. The interview committee recommends finalists who are most qualified based on the selection criteria. From the finalists, the commission appoints a retail sales agent. A public presentation at a commission meeting will be required.
- 4) An appointed retail sales agent must submit retail liquor store improvement or business plan for approval, enter into a Retail Sales Agent Agreement, purchase fixtures and equipment, and begin operation of a retail liquor store on the date the Commission specifies.

### Selection Criteria:

When the Commission selects a retail sales agent, the Commission evaluates the knowledge, skills and abilities of all applicants in the following areas:

- a) Retail business experience including, but not limited to, responsibility for inventory control, cash accountability, supervision of personnel and customer service.
- b) Knowledge of retail operations or business management, including study or training in those or related fields;
- c) Customer service skills and ability to communicate and work effectively with the public;
- d) The applicant's and/or representative's record of felony conviction, conviction of crime relating to money management fraud, or a history of conviction of crimes relating to the abuse of alcohol or controlled substances;
- e) The applicant's financial ability to purchase or lease and equip the retail liquor store at a Commission approved location which includes but not limited to start-up costs, operating expenses (rent, payroll, etc.), store improvements fixtures and equipment.

# Oregon.gov/OLCC

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# Application Forms

- Individual Application

- Single person applying for a Retail Sales Agent Agreement
- An Individual Application is required with a detailed business plan

- LLC Application

- LLC applying for a Retail Sales Agent Agreement
- An LLC Application is required plus:
  - An Individual History packet from one managing member
  - An Individual History packet from the premises manager (if applicable)
  - A detailed business plan

- Corporation Application

- Corporation applying for a Retail Sales Agent Agreement
- A Corporation Application is required plus:
  - An Individual History packet from one individual who supervises the premises manager (i.e. Regional, District, Area Manager, other)
  - An Individual History packet from the premises manager
  - A detailed business plan

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## RETAIL SALES AGENT AGREEMENT

This Retail Sales Agent Agreement ("Agreement") is made this \_\_\_\_ day of \_\_\_\_\_, between the State of Oregon by and through its Oregon Liquor Control Commission ("Commission") and \_\_\_\_\_ ("Agent").

### DEFINITIONS

- "Administrator" means the Administrator or Director of the Commission appointed pursuant to ORS 471.720.
- "Commissioners" means the individuals appointed to the Commission pursuant to ORS 471.705 and meeting pursuant to ORS 471.715.
- "Commission" means the Oregon Liquor Control Commission including any employee of the Commission acting within the course and scope of the duties delegated to that employee by the duly appointed Commissioners.
- "Retail Sales Agent" or "Agent" means an individual person or legal entity appointed by the Commission pursuant to ORS 471.720 and which enters into an Agent Agreement as an independent contractor to sell packaged distilled spirits on behalf of the Commission in a Retail Liquor Store.
- "Retail Liquor Store" or "Store" is a premises or a specific area in a premises the Commission approves for the sale of packaged distilled spirits for off-premises consumption.
- "Agent Agreement" or "Agreement" is a written contract between the Commission and a Retail Sales Agent that specifies the terms, conditions, and obligations between the parties.
- "Retail Operations Manual" or "Manual" means the manual including all rules and regulations adopted by the Commission that governs the operations of a Retail Liquor Store.
- "Proposal" means a new Agent's operational plan which is presented during the application process, and the Proposal as accepted by the Commission is by this reference incorporated into the Agreement.
- "New Appointment Period" means the first 12 months of the appointment, but does not apply in the case of a reappointment of Agent or in the case of an Agent appointed pursuant to ORS 471.720(2).
- "Agent's Representative" means an individual who represents the legal entity in the operations of the store, and can either be a regional, district or area manager, managing member, member, partner or a premises manager.

### AGREEMENT

1. **AGREEMENT APPOINTS AGENT AS A RETAIL SALES AGENT.** Pursuant to its authority under ORS 471.720, the Commission hereby appoints Agent as a Retail Sales Agent for the purpose of selling liquor at the Retail Liquor Store location set forth below.
2. **DURATION OF AGREEMENT.** Unless otherwise terminated earlier in accordance with its terms, the term of this Agreement is from \_\_\_\_ to \_\_\_\_\_. This Agreement becomes effective on the date it has been fully executed by each party and, when required, approved by the Oregon Department of Justice.
3. **TYPE OF RETAIL LIQUOR STORE.** Agent is appointed to operate a Retail Liquor Store for the Commission, to be known as Store No. \_\_\_\_\_. This store will be classified as: \_\_\_\_\_ Exclusive Liquor Store or \_\_\_\_\_ Non-exclusive Liquor Store or \_\_\_\_\_ Non-Exclusive Satellite Liquor Store. If this appointment is to operate a non-exclusive Retail Liquor Store, the nature of the adjunct business is: \_\_\_\_\_. A non-exclusive Agent shall not change the nature of the adjunct business without prior written approval of the Commission.
4. **LOCATION OF STORE.** The location of the store shall be \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of Oregon, consisting of about \_\_\_\_\_ square feet in area; or at such different location as may be subsequently approved by the Commission.
5. **STORE OPERATIONS.** Agent and/or Agent's Representative shall properly manage in accord with good business practices and operate the Store and perform all services required by the Commission in a courteous and competent manner and in accord with this Agreement including the Retail Operations Manual and applicable laws, rules and regulations.
6. **BEST EFFORTS.** Agent shall devote the agent's best efforts and skills to the operation and success of the Agent's store, including the proper training and management of Agent's employees, compliance with all applicable laws and regulations, and the taking of all reasonable measures to ensure the success and viability of the Store. Agent shall not engage in any other activities which would represent a material conflict with Agent's obligations hereunder. Agent may make and manage any other personal business investments/operations of Agent's choice, provided such activities and services do not substantially interfere or conflict with the performance of obligations hereunder, or create a conflict of interest with such obligations.
7. **CONDITION AND APPEARANCE OF STORE.** Agent shall, at Agent's expense, maintain the condition and appearance of the store and premises in accordance with the written standards of the Commission, consistent with the image of the store as a clean, sanitary, attractive, safe and efficiently operated store offering sufficient liquor inventory and providing courteous and helpful service.

# COMPENSATION

## **EXCLUSIVE AGENT COMPENSATION**

### **Fixed Base Allowance**

<u>Store Class/Annual Sales</u>	<u>Fixed Base</u>
I Up to \$209,999	14.25% of the first \$10,000 monthly sales
II \$210,000 - \$449,999	\$1,660
III \$450,000 - \$749,999	\$1,920
IV \$750,000 - \$1,049,999	\$2,348
V \$1,050,000 - \$1,649,999	\$2,440
VI \$1,650,000 and up	\$2,700

### **Variable Sales Commission**

Currently, 8.15% consumer and 6.36% licensee.

## **NON-EXCLUSIVE AGENT COMPENSATION**

### **Fixed Base Allowance**

Fixed Base  
14.25% of the first \$10,000 monthly sales

### **Variable Sales Commission**

Currently, 8.15% consumer and 6.36% licensee.

# COMPENSATION ESTIMATES

EXCLUSIVE LIQUOR STORE COMPENSATION							
Exclusive Store Total Annual Sales	Base Allowance		Variable Sales Commission (percentage column heading reflects Consumer sales as a % of total store sales)				
			100%	95%	90%	85%	80%
Up to \$209,999	\$ 17,100*	plus	\$0 - \$17,115	\$0 - \$16,927	\$0 - \$16,739	\$0 - \$16,551	\$0 - \$16,363
\$210,000 - \$449,999	\$ 19,920	plus	\$17,116 - \$36,675	\$16,928 - \$36,272	\$16,740 - \$35,869	\$16,551 - \$35,467	\$16,364 - \$35,064
\$450,000 - \$749,999	\$ 23,040	plus	\$36,676 - \$61,125	\$36,273 - \$60,454	\$35,870 - \$59,782	\$35,467 - \$59,111	\$35,065 - \$58,440
\$750,000 - \$1,049,999	\$ 28,176	plus	\$61,126 - \$85,575	\$60,455 - \$84,635	\$59,783 - \$83,695	\$59,112 - \$82,756	\$58,441 - \$81,816
\$1,050,000 - \$1,649,999	\$ 29,280	plus	\$85,576 - \$134,475	\$84,636 - \$132,998	\$83,696 - \$131,521	\$82,757 - \$130,045	\$81,817 - \$128,568
\$1,650,000 - \$2,000,000	\$ 32,400	plus	\$134,476 - \$163,000	\$132,999 - \$161,210	\$131,522 - \$159,420	\$130,046 - \$157,630	\$128,569 - \$155,840
\$2,000,000 - \$2,500,000	\$ 32,400	plus	\$163,001 - \$203,750	\$161,211 - \$201,513	\$159,421 - \$199,275	\$157,631 - \$197,038	\$155,840 - \$194,800
\$2,500,000 - \$3,000,000	\$ 32,400	plus	\$203,751 - \$244,500	\$201,514 - \$241,845	\$199,276 - \$239,130	\$197,039 - \$236,445	\$194,801 - \$233,760

NON-EXCLUSIVE LIQUOR STORE COMPENSATION							
Non-Exclusive Store Total Annual Sales	Base Allowance		Variable Sales Commission (percentage column heading reflects Consumer sales as a % of total store sales)				
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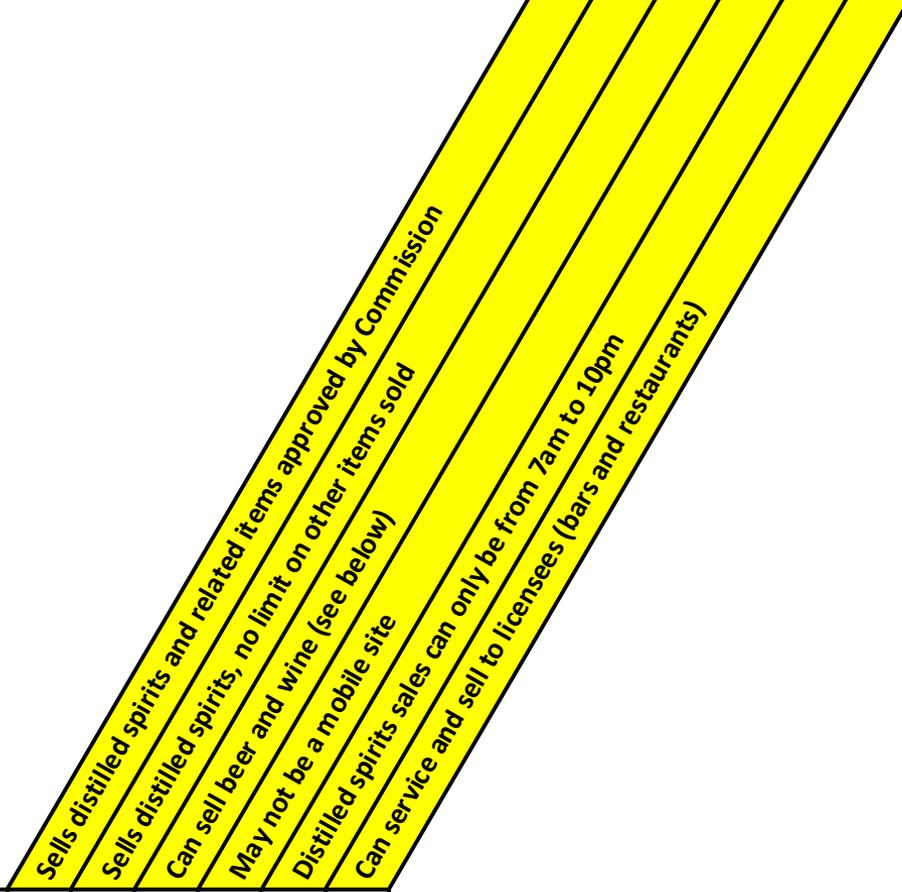
\* Based on distilled spirit sales of \$10,000 or more. The fixed base amount will be less when sales are below than \$10,000 per month.

# OTHER BENEFITS

- OLCC pays for shipping from warehouse to the retail location
- OLCC pays for credit card fees associated with spirits sales
- OLCC owns the distilled spirits inventory – the liquor agent sells it
- OLCC will ship a split case of products to the retailer
  - Allows retailer to carry small quantities of new products
  - Allows retail location to offer a wider selection
- Special orders are available to help customers find just the right product
- Uniform pricing across the state



## Liquor Location Types



Exclusive	•			•	•	•
Non-Exclusive		•	•	•	•	•

**Must apply for a separate license  
to sell BEER and WINE**

For more information about licensing please visit:  
[http://www.oregon.gov/olcc/LIC/pages/off\\_premises\\_license.asp](http://www.oregon.gov/olcc/LIC/pages/off_premises_license.asp)

# WHAT YOU CAN DO

- Identify location
- Create a detailed business plan
- Contact OLCC Retail Services staff with questions
  - 503-872-5020, [OLCC.retailservices@Oregon.gov](mailto:OLCC.retailservices@Oregon.gov)
- Put together a minor control plan (if necessary)
- Contact local government
  - Check for local zoning, permitting, & business license requirements

# Questions?

