

Service sheet / external procedure no. SA-2

Permits for the sale of alcoholic beverages with alcohol content up to 4.5%

CITY OFFICE

and beer, over 4.5%

OF KRAKOW

**up to 18% except beer and above 18%, intended for
consumption outside the point of sale (cat. ABC- retail)**

1. Handle the matter electronically

Yes, through the [E-PUAP](#) platform.

2. Appendices

Application for permits.

3. Sign language version

A film with a translation of the service description into sign language.

4. Matter handled by Administrative Affairs Department. Trade Department of Alcoholic Beverages, 10 Powstania Warszawskiego

5. Documents from the Applicant (client)

An application (model form of the application is an attachment to this procedure),

Appendices to the application:

- a document confirming the legal title (e.g. act of ownership, lease agreement with graphic attachments, tenancy or lending) of the applicant to the premises constituting the point of sale of alcoholic beverages, any graphic attachments should be submitted together with the agreement,

- consent of the owner, user, manager or administrator of the building, if the point of sale will be located in a multifamily residential building

- decision of the State Sanitary Inspector in Krakow to approve the plant (point of sale),

- power of attorney - if an attorney is appointed together with a confirmation of the payment of stamp duty or notary's power of attorney.

6. Fees

6.1. Stamp duty for the power of attorney is **PLN 17.00**.

6.2. Payments for stamp duty may be made to the bank account of the City Office of Krakow: **PKO BP SA 49 1020 2892 2276 3005 0000 0000** (e.g. at the post office, by bank transfer) or without additional charges at branches of PKO Bank Polski SA in Krakow and at the Office's cash points. The proof of payment of the stamp duty must be attached to the application.

6.3. Permit fee (in the amount consistent with the decision determining the value of the fee).

Basic annual fee for:

- a permit to sell drinks up to 4.5% alcohol and beer is **PLN 525**,

- a permit to sell alcohol above 4.5% to 18% alcohol except beer is **PLN 525**,

- a permit to sell alcohol above 18% alcohol is **PLN 2,100**.

In the year of obtaining the permit, the fee shall be made in an amount proportional to the period of validity of the permit.

7. Form of consideration

7.1. Decision - permit.

7.2. Decision determining the value of the fee.

8. Time of consideration

8.1. Permit applications are reviewed within two months of the date of submission of a complete application. If it is necessary to complete the application, the time runs from the day of receipt of the completed application.

8.2. Failure to settle the matter within the above period of time, as well as in a situation where the proceedings are conducted longer than necessary to settle the matter, shall enable filing a reminder. The reminder should be filed with the Local Government Appeal Board in Krakow through the Administrative Affairs Department of the Krakow City Office, 10 Powstania Warszawskiego Avenue, 31549 Krakow. The reminder should include a justification.

8.3. The time limit for consideration of an application for a permit can be extended if the maximum number of permits set by the City Council in the relevant resolution has been exhausted (see below - Section 11.7).

9. Documents obtained in the proceedings

9.1. Field report.

9.2. Opinion of the competent District Council on the location of the point of sale of alcoholic beverages - in the event of failure to comply with the distance requirements provided for in § 1 of Resolution No. CVII/2739/18 of the Krakow City Council of July 4, 2018 regarding the rules of location places of sale and serving alcoholic beverages in the Municipality of Krakow in relation to the areas and facilities listed in §2 of the resolution.

9.3. Opinion of the Municipal Committee for Solving Alcohol Problems (obligatory, in the form of a resolution).

10. Appeal procedure

10.1. The decision of the President of the City of Krakow can be appealed to the Local Government Appeal Board in Krakow (10 Lea Street, 30-048 Krakow) via the Mayor of the City of Krakow - Administrative Affairs Department of the Krakow City Office (10 Powstania Warszawskiego Avenue, 31-541 Krakow) - within 14 days of the receipt of it.

10.2. During the time limit for lodging an appeal, a party may waive the right to appeal. On the day of delivering a statement of the waiver of the right to appeal to the administrative body, the decision becomes final and legitimate.

11. Legal basis

- 11.1. Art. 18 and Art. 111 of the Act of 26 October 1982 on upbringing in sobriety and counteracting alcoholism (unified text, Journal of 2018, item 2137, as amended)
- 11.2. Art. 60 point 7, art. 61 and art. 67 of the Act of 27 August 2009 on Polish language (unified text Journal of Laws of 2019, item 869).
- 11.3. Art. 20, par. 2 and art. 41 of the Act of 06 March 2018 Law on Civil Status Records., unified text, Journal of Laws of 2019, item 1292).
- 11.4. Article 104 § 1 and Article 217 of the Act of 14 June 1960 Code of Administrative Procedure (unified text, Journal of Laws of 2018, item 2096, as amended).
- 11.5. Act of 16 November 2006 on Stamp Duty (unified text, Journal of Laws of 2019, item 1011).
- 11.6. Resolution No. CVII/2739/18 of the Krakow City Council of July 4, 2018 regarding the principles of location in the Municipality of Krakow, places of sale and serving alcoholic beverages (Journal of Laws of the Malopolska Region of 13.09.2012, item 5233).
- 11.7. Resolution No. CVII/2740/18 of the Krakow City Council of July 4, 2018 on determining the maximum number of permits for the sale of alcoholic beverages intended for consumption outside the place of sale and at the place of sale for the area of the Krakow City Municipality (Journal of Laws of the Malopolska Region of 13.09.2012, item 5234).
- 11.8. Resolution No. XXVIII/241/03 of the Krakow City Council of October 22, 2003 regarding places and facilities, as well as specific areas in the Municipality of Krakow, where due to their nature there is a permanent ban on selling, serving, consuming and bringing alcoholic beverages (Journal of Laws of the Malopolska Region of January 13, 2004. No. 6, item 74).

12. Additional information for the client.

- 12.1. Permits for the sale of alcoholic beverages intended for consumption outside the place of sale (retail) are **issued for a period of 5 years**.

Developed (changes):
First name and
surname: Radosław
Pijanowski Date:

Opinion presented by: Legal
Counsellor First name and
surname: Anna Kozik
Date: 14 September 2018

Approved by: Director
name and surname:
Tomasz Popiołek
Date: 14 September 2018