



Going Out Of Business Licenses – Applicant Instructions

1. Under General Business Law Article 29-F, Sections 580 to 596 (the “Going out of Business Law”), any business going out of business or otherwise having a “closing out sale” as defined by the Going out of Business Law must obtain a "Going Out Of Business" License from the Clerk of the local municipality where the store is located. The only exceptions to this License requirement are as follows: the sale is conducted pursuant to Court Order, the sale is by a public officer, and the sale is by a duly licensed auctioneer who is conducting an auction. In these instances, a Going Out Of Business license is not required.
2. Applicant needs to submit a completed application, a copy of the store's inventory and two checks for the permit. The license fee is \$500.00. Please note that two certified checks are required for the license fee: one check for \$425.00 (returnable if the sale is completed on or prior to the date of expiration of the license, if the store is closed within 60 days of issuance of the license and if the Application/License is not otherwise denied or revoked) and \$75.00 (non-refundable), which is deposited.
3. The application must be notarized or signed before the Town Clerk and will be assigned the appropriate license number for that year: i.e. License 1 of 2018, License 2 of 2018, etc.
4. Application for this license must be filed with the Town Clerk at least 15 days before the sale (This 15-day wait includes weekends and holidays) and needs to indicate the date when the sale begins, and is reviewed for accuracy and compliance.

NOTE: The Town may not waive this 15-day waiting period (NYS Attorney General's office March 2006.) This waiting period allows town staff to review the inventory and item prices. After receipt of this application, no additions may be made to the inventory or any price changes allowed unless a license extension is obtained 10 days before the end of the original license period expired - then an updated inventory is required showing any further price reductions.

5. Town Clerk must issue license within 48 hours of application for any business in the town if all conditions are met exclusive of Saturdays, Sundays, and public holidays - but the start date will not become valid until the 15-day waiting period has expired.
6. Goods must be listed separately (itemized) in an inventory which must be submitted with the application. (Can be on flash drive)
7. A license is only good for one 30-consecutive day period.
8. Only one renewal of license is permitted for one additional consecutive 30-day period. The renewal application of the license must include an inventory of the goods, wares, or merchandise remaining and must be made not more than 10 days prior to the expiration of the original license. If a license extension is requested, there is an additional, non-refundable \$50.00 fee required.
9. The permit number and expiration date must be indicated in any advertising done of this sale. A copy of the application, including the inventory filed with it, shall be posted conspicuously with the license where the sale is held.