

The background features a bokeh effect of warm, glowing lights in shades of yellow, orange, and purple. In the foreground, a clear glass bottle of water is partially submerged in a pool of water. The bottle has a cork stopper and a white label with blue text. The background is filled with faint, repeating images of various liquor bottles.

application guide
Alcohol license

city of
suwanee,
georgia

Table of Contents

GENERAL INFORMATION

Process for Obtaining an Alcohol Beverage License	4
Checklist of tasks to complete and items needed	5
Package Store requirements for zoning, distance and separation.....	6
Local Contact Information	7
State Contact Information.....	8

CODE OF ORDINANCES, CHAPTER 6, ALCOHOLIC BEVERAGES

Article I. In General

Sect. 6-1 Definitions	10
Sect. 6-2 Penalties	12
Sect. 6-3 Inspection of licensed establishments.....	13
Sect. 6-4 Closure of licensed establishments in case of emergency.....	13
Sect. 6-5 Brown bagging.....	13
Sect. 6-6 Art Shop	13
Sect. 6-7 Temporary permit	13
Sect. 6-8 Permit for special event sales at City facilities	14

Article II. Licenses

Sect. 6-31 Sale in incorporated area of City; license a privilege.....	15
Sect. 6-32 Compliance with rules and regulations; license fee	15
Sect. 6-33 Sale or possession for sale without license or beyond boundaries of premises covered by license	16
Sect. 6-34 Fees enumerated	16
Sect. 6-35 Multiple locations for sale of alcohol.....	16
Sect. 6-36 Licensed application forms.....	16
Sect. 6-37 Licensing qualifications	17
Sect. 6-38 Display at place of business	18
Sect. 6-39 Transferability of license.....	18
Sect. 6-40 Automatic license forfeiture for nonuse.....	19
Sect. 6-41 Expiration and renewal	19
Sect. 6-42 Audits.....	19
Sect. 6-43 Tax delinquent on 21st day	20
Sect. 6-44 Suspension or revocation of license	20
Sect. 6-45 Hearings.....	21
Sect. 6-46 Notice of denial, suspension or revocation.....	22
Sect. 6-47 Withdrawal of application	22
Sect. 6-48 Hotel-motel in-room service license	22
Sect. 6-49 Sales; off premises for catered functions.....	22

Article III. Regulations

Division 1 Generally

Sect. 6-66 Building requirements24
Sect. 6-67 Distance requirements24
Sect. 6-69 Retailer to purchase from licensed wholesaler only.....25
Sect. 6-70 Retail consumption dealers to store inventory on premises.....25
Sect. 6-71 Licensees to maintain a copy of this chapter; employees to be familiar with tems25
Sect. 6-72 Noise from establishments prohibited25
Sect. 6-73 No adding to contents26
Sect. 6-74 Sale on election days.....26
Sect. 6-75 Order required.....26
Sect. 6-76 Removal of a partially consumed bottle of wine26

Division 2 Minors

Sect. 6-91 Employment of underage persons27
Sect. 6-92 Failure to require and properly check identification27
Sect. 6-93 Sales to underage person prohibited27
Sect. 6-94 Purchase or possession of alcoholic beverages by underage persons.....28

Division 3 Employees

Sect. 6-111 Regulations as to employees and managers29

Division 4 Consumption on Premises

Sect. 6-131 Poured alcohol transported by employees30
Sect. 6-132 Open area and patio sales30
Sect. 6-133 No outside consumption31
Sect. 6-134 Solicitation prohibited31
Sect. 6-135 Adult entertainment31
Sect. 6-140 Wine and/or beer tasting permitted use-Retail license.....31
Sect. 6-141 Wine and/or beer tasting permitted use-Retail package store license32
Sect. 6-142 Beer and/or wine amenity permit32

Article IV. Distilled Spirits Consumption

Sect. 6-156 Permitted locations33
Sect. 6-157 Investigative and administrative costs.....33
Sect. 6-158 Hours and days of sale33
Sect. 6-159 Consumption on premises sales only34
Sect. 6-160 Advertising in official legal organ of City.....34
Sect. 6-161 Per drink excise tax on distilled spirits.....34

Article V. Beer and Wine Consumption

Sect. 6-181 Permitted locations35
Sect. 6-182 Investigative and administrative costs.....35
Sect. 6-183 Hours and days of sale35

Article VI. Private Clubs	
Sect. 6-201 Definitions.....	36
Sect. 6-202 Brewpub definition, regulation, excise tax and administration	37
Sect. 6-203 Regulation of sale of alcoholic beverages	37
Sect. 6-204 Certain organizations exempt from food establishment requirement.....	37
Sect. 6-205 Investigative and administrative costs.....	38
Sect. 6-206 Hours and days of sale	38
Article VII. Package Store Licensing	
Sect. 6-226 Type of retail establishment	39
Sect. 6-227 Hours and days of sale	39
Sect. 6-228 Use of tags or labels to indicate prices.....	39
Sect. 6-229 Quantity sale requirements	39
Sect. 6-230 Investigative and administrative costs.....	39
Sect. 6-231 Package store provisions	39
Article VIII. Wholesaler Licensing	
Sect. 6-251 Special provisions applicable to wholesale purchases.....	40
Sect. 6-252 Excise tax required on wholesalers.....	40
Sect. 6-253 Hours and days of sale	41
Sect. 6-254 Audit and penalties	41

REFERENCE SECTION

Excerpts from the City of Suwanee Ordinance	
Section 1-11	45
Excerpts from the City of Suwanee Zoning Ordinance	
Section 506.1 (C-2A).....	46
Section 507 (C-3).....	50
Section 512.1 (OTCD)	56
Example State Forms	
ATT-14	59
ATT-17	60
CRF-002.....	63
CRF-009.....	66
Blank Forms	69
Application for Alcoholic Beverage License	
Surveyor’s Affidavit	
Excise Tax Reporting	
Manager Change Form	

Process for obtaining a license

- Confirm with City of Suwanee Planning and Zoning that proposed business location is properly zoned (see attached memo regarding package stores)
- Read the ordinance regarding rules, regulations, and restrictions concerning alcohol sales.
- Bring completed application and administrative fee (\$150.00 check or cash; non-refundable) to City Hall for fingerprinting and background check.

IMPORTANT Time Issue This process takes up to 4 weeks and must be completed before a license can be issued.
- If this is a new business, apply for an Occupational Tax Certificate. If this is an existing business, be sure to keep the Occupational Tax Certificate up-to-date.
- If the application is for distilled spirits, (package store or on premises consumption) City Council must approve the application. A legal notice must be posted in the legal organ (Gwinnett Daily Post) by the Finance Department in advance of the Council meeting. The applicant **MUST** be present at the Hearing and Council Meeting.

IMPORTANT Time Issue This could take several weeks and can only proceed after the background checks have been finished. (see the Finance Department for requirements)
- Once the results of the background check have been received, (and if applicable, the City Council has approved,) the applicant will be notified as to when they can pick up the license. Alcohol Licensing Fees will be due at that time. These fees have to be paid annually and are prorated quarterly for the initial license. Fees must be in the form of a check or cash.

Annual Fees:

Beer only	\$500
Wine only.....	\$500
Beer and wine	\$1,000
Distilled Spirits	\$5,000
Distilled Spirits, Beer and Wine.....	\$6,000
Art Shop.....	\$1,000

- Upon issuance of a license by the City of Suwanee, the applicant must then apply to the State of Georgia Department of Revenue for a state alcohol license.

Checklist

- Application complete and notarized
(All questions answered)
- Administrative and Investigative fee paid,
(covers up to 3 applicants, non-refundable) \$150.00
- Copy of Driver's License and current photo for each applicant
- Fingerprints submitted
- Occupational Tax Certificate Status confirmed
- Legal Notice published by the City of Suwanee
(if applicable)
- Alcohol Licensing Fee Paid and License Obtained

Package store requirements for zoning and distance

To: Parties interested in opening a package store
From: Josh Campbell, Director of Planning and Inspections
Date: April 29, 2013
Re: Package Store Zoning, Distance and store separation requirements



Requirements for opening a package store within the Suwanee City Limits may be broken down into three main categories: Distance Requirements, Zoning Requirements, and Licensing Requirements. This is not a comprehensive list of all the City's requirements. However, it is intended to give interested parties a basic understanding of the requirements related to opening a package store. For more detail on the requirements see Chapter 6 of the City of Suwanee Code of Ordinances (page 10) and Section 507 of the City of Suwanee Zoning Ordinance (page 42).

DISTANCE REQUIREMENTS (Chapter 6-67 of the City of Suwanee Code of Ordinances)

Package stores must meet setback requirements from certain uses. These are measured as a straight line connecting the closest points between the buildings. A package store must be set back a minimum of 300 feet from a church, a minimum of 600 feet from a school (daycares are not considered a school), a minimum of 200 feet from any residence, and a minimum of 1,500 feet from any other package store.

ZONING REQUIREMENTS (Section 507 of the City of Suwanee Zoning Ordinance)

Package Stores are required to be located in the C-3 Special Commercial District. The City of Suwanee Zoning Map is available for review at www.suwanee.com and for purchase at Suwanee City Hall, 330 Town Center Avenue. This map does not indicate whether a parcel is developed or not. It is the responsibility of the party interested in opening a package store to locate property that meets the zoning requirements. Please contact a real estate professional for assistance in locating potential sites. The City cannot provide real estate advice.

In addition to being zoned C-3, there are additional zoning requirements as follows:

1. The property must have a least 200 feet of road frontage on a state highway or major street, be at least one acre in size, and must be used exclusively for the purpose of selling distilled spirits. This means that a package store shall not be part of a shopping center. It must be a stand-alone building.
2. Any building constructed on the property must be at least 5,000 square feet, shall have one entrance and one exit and these shall be located at the front of the building, shall have at least 150 square feet of plate glass (this excludes plate glass used in the door), and shall have no windows or doors on the sides or rear of the building.

LICENSING REQUIREMENTS (Chapter 6 of the City of Suwanee Code of Ordinances)

For questions regarding licensing requirements, fees or processes please see Chapter 6 of the City of Suwanee Code of Ordinances or contact staff in the Finance Department. The Finance Department can also provide you with a copy of the application for a liquor license.

As noted, this is not a comprehensive list of all of the applicable requirements. It is simply intended to summarize some of the more common issues that tend to occur. Please refer to official documents for specific information.

City of Suwanee contact information

City of Suwanee
Business Services Department
Licensing and Revenue Section
Alcoholic Beverage Unit

Phone: 770-945-8996
Fax: 678-546-2132

Business Services Manager Kathy Jones..... kjones@suwanee.com
Business Services Specialist Taranta Anderson... tanderson@suwanee.com

Special event contact information

To obtain a temporary alcohol license for special events, please contact:

City of Suwanee
Department of Economic and Community Development

Phone: 770-945-8996
Fax: 770-945-2792

Events Coordinator Amy Doherty adoherty@suwanee.com

State contact information

State of Georgia
Department of Revenue Contact Information
and List of Required Documents

North East Metro
Special Agent in Charge
Malcolm S. Bennett

1800 Century Center Blvd. NE
Suite 4235
Atlanta, Ga. 30345-3205

Phone: 404-417-4869
Fax: 404-417-4901
E-mail: malcolm.bennett@dor.ga.gov

The following information may be found at :

www.etax.dor.ga.gov/alcohol/alc_forms.aspx

Form Number	Description	Type Of License
ATT-14	Certificate of Residence	Retail Package Store
ATT-17	State Beverage Alcohol Personnel Statement	Liquor
ATT-52	Malt Beverage: Broker, Importer Bond	Beer
ATT-59	Retail Dealers & Retail Consumption Dealers Liquor Bond	Liquor
ATT-108	Wine: Winery, Broker, Importer Bond	Wine
CRF-002	State Tax Registration Application	All
CRF-009	State Alcohol License Application	All

Additional documents required for wholesale and other alcohol license applications can be found at:

www.etax.dor.ga.gov/alcohol/alc_forms.aspx

All information is subject to change without notice and is provided here for reference purposes only.

ALCOHOL ORDINANCE

Chapter 6 - ALCOHOLIC BEVERAGES

ARTICLE I. - IN GENERAL

- Sec. 6-1. - Definitions.
- Sec. 6-2. - Penalties.
- Sec. 6-3. - Inspection of licensed establishments.
- Sec. 6-4. - Closure of licensed establishments in cases of emergency.
- Sec. 6-5. - Brown bagging.
- Sec. 6-6. - Art shop.
- Sec. 6-7. - Temporary permit.
- Sec. 6-8. - Permit for special event sales at City facilities.
- Secs. 6-9 —6-30. - Reserved.

Sec. 6-1. - Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcohol. Any ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

Alcoholic beverage. Includes all alcohol, distilled spirits, beer, malt beverage, wine or fortified wine as defined in this section.

Art Shop. A retail business devoted exclusively to providing art education that is limited to instruction in painting, sculpture and similar crafts; or to selling and displaying portraits, paintings, sculptures, art supplies and similar art work and crafts. An Art Shop shall not allow activities that would cause the business to be an “adult entertainment establishment” as defined in Chapter 10, Article II of this Code.

Authorized catered function. An event at a location not otherwise licensed for consumption of alcoholic beverages by the drink at which alcoholic beverages are furnished, for consideration, and sold, dispensed or provided free of charge to persons present at the event, by the drink, pursuant to a permit obtained under this section.

Bed and Breakfast. Any establishment where five or more rooms used for sleeping accommodations are offered for pay to guests, which regularly prepares and serves breakfast, where there exists one or more dining rooms serving prepared meals, whether public or for the use of guests, with a seating capacity of at least ten, and with a kitchen that has been approved by the health and fire departments.

Beer or malt beverage. Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other product, or any combination of such products in water containing not more than six percent alcohol by volume, and including ale, porter, brown, stout, lager beer, small beer, and strong beer. Also included are beverages known as “nonalcoholic beer” which is made by fermentation of any infusion or decoction of barley, malt, hops, or other products, and containing less than three percent, but more than 0.1 percent alcohol by volume. The term “malt beverage” does not include sake, known as Japanese rice wine.

Brewpub. Any eating establishment in which beer or malt beverages are manufactured or brewed, subject to the barrel production limitation prescribed in O.C.G.A. §3-5-36 for retail consumption on premises and sold in draft form.

Brown bagging. Brown bagging refers to the practice of customers, patrons, or guests bringing alcoholic beverages into an establishment that is open to the public; this practice is commonly referred to as “bring your own bottle”. This practice is prohibited in Suwanee except in the case of Art Shops that are licensed as an Art Shop under this Chapter, which may allow customers to bring in a bottle or bottles of wine and/or beer subject to the specific provisions governing the operation of an Art Shop.

Distilled spirits. Any alcoholic beverage obtained by distillation or containing more than 21 percent alcohol by volume including, but not limited to, all fortified wines.

Eating establishment. Any public place, including a place available for rental by the public, selling prepared food for consumption by the public on the premises with a full service kitchen. An eating establishment shall be prepared to serve food every hour the establishment is open and derives at least 50 percent of gross receipts quarterly from the sale of prepared meals or food.

Food caterer. Any person who holds a valid occupational tax certificate and for consideration prepares food for consumption off the premises.

Fortified wine. Any alcoholic beverage containing more than 21 percent alcohol by volume made from fruits, berries, or grapes, either by natural fermentation or by natural fermentation with brandy added. "Fortified wine" includes, but is not limited to, brandy.

Full service kitchen. A full service kitchen shall, at minimum, consist of a three-compartment pot sink, a stove or grill permanently installed, and refrigerator; all of which must be approved by the health and fire departments.

Gender. For convenience in construction, the masculine pronouns "he," or "his" may sometimes be used; however, such usage shall, where appropriate, imply the feminine gender and may be construed as "she," "her" or any other feminine usage as may be necessary.

Governing authority. Governing authority refers to the City Council of Suwanee, Georgia.

Growler. The term growler shall mean a glass, ceramic, or plastic bottle or container that is filled by a licensee or employee of a licensee with beer from a keg and securely sealed for off-premises consumption. Growlers may only be filled from kegs procured by the licensee from a duly licensed wholesaler.

Hotel and motel. Any building or other structure or combination of buildings or structures, which is kept, used, maintained, advertised and held out to the public as a place where sleeping accommodations are offered for pay to travelers and guests, whether transient, permanent or residential. Such hotels shall have 50 or more rooms used for the sleeping accommodations of such guest and one or more public dining rooms that include seating capacity of at least 20 guests. The sleeping accommodations and dining rooms being conducted in the same building or in separate buildings or structures used in connection therewith are considered to be on the same premises and are a part of the operation. The establishment has the privilege of granting franchises for the operation of an eating establishment in their premises and the holder of the franchise shall be included in the definition.

Indoor commercial recreational establishment. An establishment that is limited to regularly serving prepared food, with a full service kitchen, prepared to serve food every hour they are open and deriving at least 70 percent of its total annual gross sales from the sale of prepared meals or foods and recreation activities; and wherein the sale of food and alcoholic beverages is incidental to its primary enterprise and activity on the premises. The primary activity on the premises of the indoor commercial recreational establishment is family oriented in nature, which attracts a range of individuals from all age groups. Uses include, but are not limited to, dinner theaters, bowling centers, and other similar uses. Outdoor commercial recreation is not included, nor shall concession sales of alcoholic beverages be permitted. Bingo parlors, dance halls, night clubs, taverns, billiard parlors, video arcades, skating arenas, adult entertainment and/or sexually related entertainment activities, and similar uses are specifically excluded from this definition of indoor commercial recreational establishments. Provided, that no indoor commercial recreational establishment shall offer alcoholic beverages for sale during the time it is sponsoring events which primarily attract persons under the lawful drinking age in the state.

License. Authorization granted by the City to operate as a retail consumption dealer, retail package dealer or wholesale dealer.

Licensed alcoholic beverage caterer. Any person licensed for the sale of alcoholic beverages by the State of Georgia who possesses a license by a local government in the State of Georgia authorizing such person to sell or dispense alcoholic beverages by the drink off licensed premises and in connection with an authorized catered function.

Licensee. A person, as defined herein, holding any class of license issued under this article.

Liter. A metric measurement currently used by the United States.

Manager. Any person who supervises the regular operations of a business licensed under this article.

Manufacturer. Any maker, producer, or bottler of an alcoholic beverage. It would also include a brewer of beer or malt beverages.

Minor. When used in this chapter, minor shall refer to any person or persons under the legal age for consumption or possession of alcoholic beverages as defined in O.C.G.A. §3-3-23, and any subsequent amendment thereto.

Outdoor dining area. A space in which a licensee serves food and beverages as part of the operation of the licensed premises as a sidewalk café. An outdoor dining area must be located adjacent to the licensed restaurant and may only be separated from the licensee's premises by a sidewalk as defined in the sidewalk café ordinance (section 22-206).

Package. A bottle, can, keg, barrel, box or other original consumer container. Retail package alcoholic beverages shall include all alcoholic beverages in their original container, sold at retail to the final consumer, and not for resale.

Package store. A building within the City for which a license may be issued for the sale of packaged spirituous liquors. A package store must be operated as a distinct business and cannot be operated in conjunction with or as a part of any other business, except as allowed by Georgia law.

Person or entity. Any individual, firm, partnership, cooperative, nonprofit membership corporation, joint venture, association, company, corporation, limited liability company, agency, syndicate, estate, trust, business trust, receiver, fiduciary, sole proprietorship, or other group or combination acting as a unit, whether such entity operates for profit or non-profit.

Premises. The space or area owned, leased and/or controlled by a licensee and used for the purpose of operating under the license; except in the case of hotels and motels. A premise is further defined as one physically identifiable place of business consisting of one room, or two or more contiguous rooms operating under the same trade name. This would also include parking areas. Any premises outlets which cannot be determined as one identifiable place of business shall require additional licenses regardless of such establishment having the same trade name, ownership or management.

Retail consumption dealer. Any person who sells alcoholic beverages for consumption on the premises at retail only to consumers and not for resale.

Retail package dealer. Any person who sells unbroken packages at retail only to consumers and not for resale.

Tasting room. An outlet operated by a licensee for the instructional or educational promotion of wine and/or beer by providing complimentary samples or samples for sale to the public for the sale of retail inventory on hand.

Wholesaler or wholesale dealer. Any person who sells alcoholic beverages to other wholesale dealers, to retail dealers, or to retail consumption dealers.

Wine. Any alcoholic beverage containing not more than 21 percent alcohol made from fruits, berries, or grapes either by natural fermentation or by natural fermentation with brandy added. Wine includes, but is not limited to, all sparkling wines, champagnes, combinations of such beverages, vermouths, special natural wines, rectified wines, and like products. The term "wine" does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

(Ord. of 5-28-2013)

Cross reference— Definitions generally, § 1-2.

Sec. 6-2. - Penalties

Any person who violates any provisions of the sections in this chapter may, upon conviction, be punished as set forth in section 1-11, unless a different penalty is set out herein.

(Ord. of 5-28-2013)

Sec. 6-3. - Inspection of licensed establishments

The City shall have the authority to inspect establishments licensed under this chapter during the hours in which the premises are open for business. These inspections shall be made for the purpose of verifying compliance with the requirements of this chapter and state law. This section is not intended to limit the authority of any other county or City officer to conduct inspections authorized by other provisions of this chapter.

(Ord. of 5-28-2013)

Sec. 6-4. - Closure of licensed establishments in cases of emergency

(a) The Chief of Police, or his designee, may immediately close an establishment licensed under this chapter in case of emergency, for the safety of the public or to investigate a crime, for a period of time not to exceed 24 hours.

(b) Additionally, the Mayor is authorized to suspend any license issued under this chapter for any emergency situation such as civil disorders or natural disasters or in any situation that the Mayor deems such immediate suspension necessary for the protection of the health and welfare of the citizens of the City, and such suspension may be made effective immediately and shall remain in force until the City Council determines the emergency is over or until the next regular meeting of the City Council or at a meeting called prior to the next regular meeting. When a license is suspended or revoked, the City shall not be required to refund any portion of the license tax to the holder of such suspended or revoked license.

(Ord. of 5-28-2013)

Sec. 6-5. – Brown bagging

It is prohibited for any person to bring in his own alcoholic beverage into any establishment either licensed or unlicensed to serve alcoholic beverages except as otherwise allowed herein.

(Ord. of 5-28-2013)

Sec. 6-6.- Art Shop

(a) An Art Shop established under this section may allow customers to bring in a bottle or bottles of wine and/or beer to be consumed on the premises.

(b) The customer must remove any unconsumed wine and or beer from the premises before leaving the premises.

(c) The brown-bagging of wine and/or beer in an Art Shop shall be subject to this chapter and to State law; including but not limited to the prohibition of consumption by one who is under twenty-one years of age or intoxicated.

(d) An Art Shop may serve food provided it meets all federal, state and local requirements.

(Ord. of 5-28-2013)

Sec. 6-7. - Temporary permit

Any organization, maintaining an alcohol beverage license in good standing with the State of Georgia, may be issued a temporary permit to sell and dispense alcoholic beverages for a period not to exceed ten days in any one year. The organization must complete an application and pay the fee required by this chapter. Such organizations will be required to comply with the ordinances and the licensing and regulations for a consumption on the premises establishment with the exception of the full service kitchen requirement.

(Ord. of 5-28-2013)

Sec. 6-8. - Permit for special event sales at City facilities

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Special event. An event approved and sanctioned by the City occurring on City or public property, or an event in which the City's personnel oversees such event.

Structure. An area that can be contained by a secured, contiguous structure including walls, sturdy fencing or other similar approved structures. Metal stakes or fence posts are not permitted to make a fence. The structure should be erected without driving stakes, poles, fence post, or any other object into the ground. The structure must be approved by the Chief of Police or designee.

(b) Any entity maintaining an alcohol beverage license in good standing with the State of Georgia may obtain a temporary special event permit for the sale of beer and/or wine at a City special event under the following terms and conditions:

(1) Such applicant must complete in a timely manner, the respective application and submit the respective fee as set forth in the license fee schedule. The applicant shall submit, as may be required by the City Manager or designee, a plan or rendering which details operational matters.

(2) The application must be reviewed and duly approved by the City Manager or designee.

(3) When safety consideration and/or effective traffic circulation issues exist, it may be deemed necessary by the City to require enclosed structures providing restricted public ingress/egress.

(4) Unless otherwise approved, no more than one entity/organizations shall be allowed to sell beer or wine during the course of any one event. The City reserves the right to permit or to refuse any permits for a special event., as deemed in the best interest of the City.

(5) The City may allow during permitted events, alcoholic beverages to be sold by licensed establishments and taken outside of normal dining areas into the Town Center District as defined in Section 22-206 of this Code.

(6) The possession of any open glass container for the consumption of any beverage is prohibited.

(7) The Chief of Police or designee shall be authorized to suspend or terminate a special event at any time, if he/she determines that it is necessary for the health, safety and welfare of the residents of the City.

(8) Notwithstanding the provisions of subsections (b)(1) thru (b)(7) above, nothing in this section shall relieve applicants from complying with all other provisions of this chapter and state law.

(Ord. of 5-28-2013)

Secs. 6-9—6-30. - Reserved

ARTICLE II. - LICENSES

- Sec. 6-31. - Sale in incorporated area of City; license a privilege.
- Sec. 6-32. - Compliance with rules and regulations; license fee.
- Sec. 6-33. - Sale or possession for sale without license or beyond boundaries of premises covered by license.
- Sec. 6-34. - Fees enumerated.
- Sec. 6-35. - Multiple locations for sale of alcohol.
- Sec. 6-36. - Licensed application forms.
- Sec. 6-37. - Licensing qualifications.
- Sec. 6-38. - Display at place of business.
- Sec. 6-39. - Transferability of license.
- Sec. 6-40. - Automatic license forfeiture for nonuse.
- Sec. 6-41. - Expiration and renewal.
- Sec. 6-42. - Audits.
- Sec. 6-43. - Tax delinquent on 21st day.
- Sec. 6-44. - Suspension or revocation of license.
- Sec. 6-45. - Hearings.
- Sec. 6-46. - Notice of denial, suspension or revocation.
- Sec. 6-47. - Withdrawal of application.
- Sec. 6-48. - Hotel-motel in-room service license.
- Sec. 6-49. - Sales; off premises for catered functions.
- Secs. 6-50. — 6-65. - Reserved.

Sec. 6-31. - Sale in incorporated area of City; license a privilege

- (a) Alcoholic beverages may be sold in the incorporated area of the City under a license granted by the City of Suwanee upon the terms and conditions provided in this chapter.
- (b) All licenses in this chapter shall be a mere grant of privilege to carry on the business during the term of the license and is subject to all terms and conditions imposed by the City ordinances and State law.
- (c) No applicant shall be allowed to hold both an on premises consumption and an off premises consumption license for the same business.
- (d) All licenses under this chapter shall have printed on the front these words: "This license is a mere privilege subject to being revoked and annulled, and is subject to any further ordinances which may be enacted."
- (e) Any holder of a license issued pursuant to this chapter is required to apply for and obtain an alcoholic beverage license from the State before any sales commence and are required to abide by all applicable state regulations and laws.

(Ord. of 5-28-2013)

Sec. 6-32. - Compliance with rules and regulations; license fee

Before a license shall be granted under this chapter, the applicant shall comply with all rules and regulations adopted by the City Council regulating the sale of alcoholic beverages and each applicant shall pay a license fee in accordance with the fee scale adopted by the City Council contained in section 6-34 of this article and kept on file in the office of the Financial Services Director.

(Ord. of 5-28-2013)

Sec. 6-33. - Sale or possession for sale without license or beyond boundaries of premises covered by license

It shall be unlawful for any person to sell or possess for the purpose of sale any alcoholic beverage where the person does not have a license granted by the City to sell or possess for sale these alcoholic beverages, or to sell or make deliveries beyond the boundaries of the premises covered by the license.

(Ord. of 5-28-2013)

Sec. 6-34. - Fees enumerated

License fees applicable to this chapter are set out as follows:

(a) Retail dealers of alcohol to be consumed on the premises:

- (1) Beer or wine: \$500.00 per year
- (2) Beer and wine: \$ 1,000.00 per year
- (3) Distilled Spirits: \$5,000.00 per year
- (4) Distilled Spirits, beer and wine: \$6,000.00 per year

(b) Retail dealers of alcohol sold in original packages to be consumed off premises:

- (1) Beer or wine: \$500.00 per year
- (2) Beer and wine: \$1,000.00 per year
- (3) Distilled spirits: \$5,000.00 per year
- (4) Distilled spirits, beer and wine: \$6,000.00 per year

(c) Wholesale dealers are exempt from license fees.

(d) Temporary license for organizations: are \$250.00 per day, maximum ten days per year.

(e) Art shop license for allowing customers to bring in a bottle or bottles of wine and/or beer to be consumed on the premises \$1,000.00 per year.

(e) Art shop license allowing customers to bring wine and/or beer to be consumed on the premises \$1,000.00 per year.

(f) License fees are pro-rated the first year that the license is issued based on the date issued as follows:

- (1) January 1 to March 31: the full amount of the license fee designated is due.
- (2) April 1 to June 30: three-fourths of the full amount of the license fee designated is due.
- (3) July 1 to September 30: one-half of the full amount of the license fee designated is due.
- (4) October 1 to December 31: one-fourth of the full amount of the license fee designated is due.

(g) Beer and/or wine amenity permit: \$50 one-time fee; not subject to proration.

(Ord. of 5-28-2013)

Sec. 6-35. - Multiple locations for sale of alcohol

Separate applications must be made for each location and separate licenses must be issued for the sale of alcoholic beverages.

(Ord. of 5-28-2013)

Sec. 6-36. – License application forms

(a) All persons desiring to sell alcoholic beverages shall complete the application forms prescribed by the Financial Services Director or designee.

(b) The application shall include, but shall not be limited to, the name and address of the applicant; the proposed business to be carried on; location; if a partnership, the names and residence addresses of the partners; if a corporation, the names of the officers, the names of the managers, and the names of all shareholders holding more than ten percent of any class of corporate

stock; if a limited liability company (LLC) the names of all managers, members holding more than ten percent of any units; or any other entity having a financial interest in each entity which is to own or operate the establishment for which a license is sought.

(c) If the establishment manager changes, the applicant must furnish the Financial Services Director or designee, the name and address of the new manager within ten days of such change.

(d) All applications shall be sworn to by the applicant before a notary public or other officer empowered by law to administer oaths.

(e) All applicants shall furnish data, fingerprints and other records as required by the Financial Services Director or designee to ensure compliance with the provisions of this chapter. Failure to furnish such data, fingerprints and other records within 30 days from the date of such request shall automatically serve to dismiss the application with prejudice.

(f) In instances in which an application is denied under the provisions of this chapter, the applicant may not reapply for a license for at least two years from the final date of such denial. The Financial Services Director or designee shall provide written notice to any applicant whose application is denied under the provision of this chapter. Such written notification shall set forth the reasons for such denial and shall advise the applicant of their appeal rights under the provisions of this chapter.

(Ord. of 5-28-2013)

Sec. 6-37. - Licensing qualifications

(a) No license for the sale of alcoholic beverages shall be granted to any person who is not a citizen of the United States or to any person who cannot provide documentation of their ability to be lawfully employed in the United States.

(b) Where the applicant is a partnership or corporation, the provisions of this section shall apply to all its partners, officers, managers, and majority stockholders. In the case of a corporation, the license shall be issued jointly to the corporation and the majority stockholder; where the majority stockholder, is not an individual, then the license shall be issued jointly to the corporation and its license applicant under the provisions of this chapter. In the case of a partnership the license will be issued to one of the partners owning at least ten percent of the partnership. If no partner owns ten percent of the partnership then the general partner, managing partner or the partner with the greatest ownership will be licensed.

(c) No license for the sale of alcoholic beverages shall be granted to any person convicted under any federal, state or local law of any felony, within ten years prior to the filing of application for such license.

(d) Should any applicant, partner, or officer used in the sale or dispensing of any alcoholic beverages, after a license has been granted, be convicted under any federal, state or local law of any felony, the license shall be immediately revoked and canceled by the City.

(e) It shall be unlawful for any City employee directly involved in the issuance of alcoholic beverage licenses under this chapter, to have any whole, partial or beneficial interest in any license to sell alcoholic beverages in the City.

(f) No license for the sale of alcoholic beverages shall be granted to any person who has had any license issued by the City previously revoked within two years prior to the filing of the application.

(g) Any written notice or demand required by the City of Suwanee, permitted by law or under this chapter, will be served by hand delivery to the establishment and signed for by the licensee or manager on duty. If the licensee or manager are not onsite to be served by hand delivery, service may be perfected by certified mail to the licensee.

(h) A license application may be denied to any applicant for any alcoholic beverage license where it appears that the applicant would not have adequate financial participation in the proposed business to direct and manage its affairs, or where it appears that the application is intended to be a mere surrogate for a person or persons who would not otherwise qualify for a license for any reason whatsoever.

(i) The Financial Services Director or designee, at discretion, may consider any extenuating circumstances, which may reflect favorably or unfavorably on the applicant, application, or the proposed location of the business. If, in judgment, circumstances are such that granting of the license would not be in the best interest of the general public, such circumstances may be grounds for denying the application.

(j) No new or renewal license for the sale of alcoholic beverages within the City shall be issued for a location that fails to meet all applicable state and local fire, life safety, building, health and zoning codes. A license for the sale of alcoholic beverages may be issued for a location prior to the completion of the building or tenant space indicated on the license application, provided no alcoholic beverages may be sold under the license until said building or space is completed as determined by the City Planning and Inspection Department.

(k) No new or renewal alcoholic beverage license shall be issued to any applicant who is delinquent in the payment of City taxes or fees, including, but not limited to property taxes, alcoholic beverage excise taxes, occupational tax certificate fee, hotel/motel excise taxes or any other taxes or fees which are owed to the City by the applicant.

(l) Payments for new or renewal alcoholic beverage license, that is returned by a financial institution, will be considered a non-payment and the alcoholic beverage license will be invalid. The licensee has seven days from the date the payment was returned by the financial institution to provide payment by cash or certified check. If the appropriate payment is not received within seven days, the license will be invalid. Once a license is invalid, the licensee would need to re-apply for a new license.

(Ord. of 5-28-2013)

Sec. 6-38. - Display at place of business

The City alcoholic beverage license shall at all times be kept plainly in view at the premise whereby it may be easily viewed by patrons.

(Ord. of 5-28-2013)

Sec. 6-39. - Transferability of license

(a) No license for the sale of alcoholic beverages shall be transferable, except as otherwise provided in this section.

(b) All transferred licenses, noted below, are subject to a \$150.00 administrative fee only.

(c) In the case of the death of a licensee, the establishment shall be allowed to continue to sell alcoholic beverages for a period of 90 days from the date of the death of the licensee. During the 90 day period, a personal representative of the estate, appointed by a probate court of competent jurisdiction, shall make application for a new license with the Finance Department. After said application has been made, the establishment shall be allowed to continue to sell alcoholic beverages until such time that the estate is settled and a new application has been filed or ownership is transferred and a new license has been issued. No additional license fees shall be required during the period for which the original license was issued.

(d) If a licensee severs his association with a licensed establishment, the establishment shall be allowed to continue to sell alcoholic beverages for a period of 90 days from the date of surrender. During the 90 day period, a new application for a license is required. No additional license fees shall be required during the period for which the original license was issued.

(e) Nothing in this section, however, shall prohibit one or more of the partners holding a license to withdraw from the partnership in favor of one or more of the partners who were partners at the time of the issuance of the license. Such a withdrawal shall not serve to bring any new ownership into the partnership. This section shall not prohibit transfer of stock between persons who held stock in the corporation at the time of issuance of the license nor shall it prohibit transfers of stock, which does not result in any person increasing his stock holdings to a total of ten percent or more of any class of stock.

(f) Any licensee who desires to transfer the location of an establishment licensed to sell alcoholic beverages within the City shall notify the Financial Services Director or designee prior to any transfer of location. The Financial Services Director or designee shall determine whether the new location is in compliance with all provisions of this chapter and other City ordinances. No change in the location of a licensed establishment shall be permitted unless the new location complies within all provisions of this chapter. The City shall have the authority to approve or deny the transfer of location in the same manner that it may approve or deny issuance of a new license. Should a transfer of location be approved, with no change of ownership of the business, the license fee paid for the old location shall be applied to the new location.

(g) Any licensee who desires to change the name of an establishment licensed to sell alcoholic beverages within the City shall so notify the Financial Services Director or designee prior to any change of name, and the Financial Service Director or designee shall direct the issuance of a corrected license in replacement of the original license. No administrative fee is required for a change in name.

(h) Any licensee who changes the manager of an establishment licensed to sell alcoholic beverages within the City shall so notify the Financial Services Director or designee within five days of the effective date of such change and shall file, with the Financial Services Director or designee, the change in manager form, which includes a background check on the new manager.

(i) Except as provided in this section, any change in the ownership of any entity owning a licensed establishment shall be cause to cancel and revoke any license issued under this chapter. The establishment shall be allowed to continue to sell alcoholic beverages for a period of 90 days from the date of change. No such transfer period shall be authorized until such time as a new application for a license is made. Upon authorization of a new licensee, all applicable license fees are required.

(Ord. of 5-28-2013)

Sec. 6-40. - Automatic license forfeiture for nonuse

Any holder of any license under this chapter who shall for a period of six consecutive months after the license has been issued cease to operate the business and sale of the product or products authorized shall after the six-month period automatically forfeit the license without the necessity of any further action.

(Ord. of 5-28-2013)

Sec. 6-41. - Expiration and renewal

(a) All licenses granted under this chapter shall be valid from the date issued until December 31 of the license year.

(b) All licenses granted under this chapter shall expire on December 31 of each year. Renewal packages will be sent to all current licensees by November 1. It is the licensee's responsibility to return renewal paperwork along with the required fee, to the Financial Service Director or designee by November 30 of each year. Any renewal paperwork submitted or renewal paperwork submitted without the required fee after November 30 but before 4:00 pm on December 31, if December 31 should be on a Saturday or Sunday, the last renewal date would be the last Friday in the month of December, shall pay, in addition to the annual fee, a late charge of 20 percent.

(c) Any renewal paperwork is received after 4:00 pm on December 31, if December 31 should be on a Saturday or Sunday the renewal date would be the last Friday in the month of December, shall be treated as an initial application and the applicant shall be required to comply with all rules and regulations for the granting of licenses as if no previous license had been held. This will include a reassessment of investigative and administrative fees and no alcohol sales will be permitted during the reapplication process.

(Ord. of 5-28-2013)

Sec. 6-42. - Audits

(a) If the Financial Services Director or designee deems it necessary to conduct an audit of the records and books of the licensee, the licensee shall be notified and an agreed upon date, time and place of the audit shall be arranged. The Financial Services Director or designee may designate the City's auditor or other designated person to perform any audit authorized in this chapter. The licensee shall cooperate with the audit or forfeit any license issued under this chapter. Failure to arrange an agreed upon date within three months of an audit request will be deemed as an uncooperative act and the licensee will forfeit any licenses issued.

(b) All licensed establishments must maintain the following records for a three-year period and make them available for audit at the licensed premises:

- (1) Monthly income or operating statements.

(2) Daily sales receipts showing food sales separate from liquor, beer and wine sales. This requirement applies to retail consumption on premises licensees only.

(3) Daily cash register receipts such as "Z" tapes or guest tickets.

(4) Monthly state sales and use tax reports.

(5) Federal income tax return with all form 1099's. The Financial Services Director or designee can waive all or some of the requirements of this requirement if the Financial Services Director or designee finds that no such records exist and it is not financially practical based on the net income of the licensed establishment to require them to keep such records.

(c) If a licensed establishment is unable to provide the records, or does not meet the required food consumption percentage, another audit shall be performed within 90 days. If after two, or more, consecutive audits a licensed establishment is unable to provide the records, or does not meet the required food consumption percentage, the licensed establishment license will be suspended for 30 days. During the 30 day suspension period, no alcoholic beverages will be allowed on the premise.

(Ord. of 5-28-2013)

Sec. 6-43. - Tax delinquent on 21st day

The tax imposed under this chapter shall, for each month, become delinquent on the 21st day of each succeeding month. Any such delinquent tax shall bear interest at the rate of one percent per month, or fraction thereof, and a penalty of 10 percent of such delinquent tax shall be added and attached to the total amount of the fee. The Financial Services Director or designee is empowered to pursue any remedy or right of collection and payment of taxes lawfully levied by the City, as may be allowed under the laws of the State and the ordinances of the City.

(Ord. of 5-28-2013)

Sec. 6-44. - Suspension or revocation of license

No license to sell alcoholic beverages shall be suspended without the opportunity for a hearing. Section 6-45 details the licensee rights to a hearing.

(a) A license may be denied, suspended or revoked by the Financial Services Director or designee:

(1) When the licensee furnishes fraudulent or untruthful information in the application for a license or omits information required in the application for a license, or for failure to pay all fees, taxes or other charges imposed under the provisions of this chapter.

(2) Whenever the State shall revoke any permit or license of any licensee to sell at wholesale or retail any alcoholic beverages, the City license to sell alcoholic beverages shall thereupon be automatically revoked.

(3) Any licensed establishment that is found to be in violation of sections 6-72, 6-91, 6-92, 6-93 and/or 6-134 shall be subject to immediate license revocation.

(4) Where the establishment has been found in violation of employment of underage persons to dispense, serve, sell or take orders for any alcoholic beverage.

(5) Where the establishment has been found in violation of sales to underage persons.

(6) Where alcoholic beverages have been sold or distributed during a period of suspension.

(7) When any establishment which does not meet the licensing qualifications set forth in this chapter any time such knowledge becomes known to the City.

(8) By an act or omission by a licensee, owner of more than ten percent interest in the licensed establishment, willingly or knowingly performed, which constitutes a violation of federal or state law or of any provision of this chapter.

(9) By an act of omission by an employee of a licensee, where such acts of the employee were known to or under reasonable circumstances should have been known to the licensee, which constitutes a violation of federal or state laws or of any provision of this chapter.

(b) A license may be revoked by the Financial Service Director or designee if a license has been suspended two or more times in any consecutive 12-month period.

(c) An application for renewal of a license may be denied by the Financial Services Director or designee when a licensee has been chronically delinquent or chronically in default in monthly excise tax reporting and remittance. Chronically is deemed to be 5 months of the same 12 month calendar.

(d) A license may be suspended by the Financial Services Director or designee when the Chief of Police or designee deems a business to be operating or conducting business in a manner contrary to the public welfare, safety, health, or in such a manner as to constitute a nuisance. Any combination totaling three or more of the following occurrences within any thirty-day period shall constitute prima facie evidence as to constitute a nuisance:

(1) Breach of the peace, disturbance or altercation resulting in violence occurring on the premises.

(2) Permitting the solicitation of patrons on the licensed premises for prostitution or any other unlawful act where the license holder or the license holder's employee knew or should have known of such conduct.

(3) The selling or serving of any alcoholic beverage to any person that the license holder or the license holder's employee knew or should have known to be in a state of intoxication.

(4) The violation of any state law or regulation governing the manufacture, sale, distribution or transportation of alcoholic beverages.

(e) Whenever a license is suspended or revoked, a cease and desist notification shall be delivered to the licensed premise by the Chief of Police or designee. This notification will include the reasons for suspension or revocation, outlined the licensee rights to a hearing, and detail the dates of suspension or revocation. The Chief of Police or designee shall take the necessary steps to see that signs are removed and that all alcoholic beverage sales cease as outlined in the cease and desist notification letter.

(f) Wherever this chapter permits the Financial Services Director or designee to suspend any license issued under this chapter but does not mandate the period of such suspension the suspension period shall be 14 days (two weeks).

(Ord. of 5-28-2013)

Sec. 6-45. - Hearings

(a) No license to sell alcoholic beverages shall be denied, suspended or revoked without the opportunity for a hearing.

(b) The Financial Services Director or designee shall provide written notice to the applicant or licensee of the decision to deny, suspend or revoke the license. Such written notification shall set forth the reasons for such action and shall notify the applicant or licensee of the right to appeal under the provisions of this chapter.

(c) Any applicant or licensee may choose to appeal the decision to deny, suspend, or revoke the license to the Zoning Board of Appeals. Such appeal shall be by written petition, filed in the office of the Financial Services Director within 10 days after receipt of the written notice provided by the Financial Services Director or designee. In order to defray administrative costs, the written petition must be accompanied by a filing fee of \$300.00. If the filing fee is not submitted with the written petition, the petition shall not be considered to be filed. The Zoning Board of Appeals may, at the request of the appellant, refund the filing fee by a majority vote.

(d) A hearing shall be conducted on each appeal within 45 days of the date of filing of the licensee's written petition with the office of the Financial Services Director or designee unless a continuance of such date is agreed to by the appellant and the Financial Services Director or designee.

(e) The appellant at the hearing shall have the right to be represented by an attorney, at the expense of the appellant, and to present evidence and cross-examine witnesses. Should the appellant desire an official transcript of the appeal proceedings, such request must be made at least three days prior to such hearing. The appellant shall have the burden of proof on any such appeal.

(f) Should the Zoning Board of Appeals be unable to reach a decision by majority vote, the action taken by the Financial Services Director or designee shall be upheld automatically. Any three members shall constitute a quorum.

(g) The findings of the Zoning Board of Appeals shall be forwarded to the Financial Services Director or designee within 15 days after the conclusion of the hearing, and it shall be the duty of the Financial Services Director or designee to notify the appellant of the action of the Zoning Board of Appeals.

(h) The findings of the Zoning Board of Appeals shall not be set aside unless found to be:

- (1) Contrary to law or ordinances;
- (2) Unsupported by substantial evidence on the records as a whole; or
- (3) Unreasonable.

(i) The findings of the Zoning Board of Appeals shall be final unless appealed within 30 days of the date of such finding by certiorari to the Superior Court of the county.

(Ord. of 5-28-2013)

Sec. 6-46. - Notice of denial, suspension or revocation

For the purpose of this chapter, notice of denial, suspension or revocation of an alcoholic beverage license shall be deemed delivered when personally served by certified hand delivery of said notice by a member of the City of Suwanee Police Department to the establishment.

(Ord. of 5-28-2013)

Sec. 6-47. - Withdrawal of application

Any license application made pursuant to this chapter may be withdrawn by the applicant at any time. If the application is withdrawn before the license is issued, any sums deposited as an administrative processing fee shall not be refunded. After issuance of the license, no refunds will be made.

(Ord. of 5-28-2013)

Sec. 6-48. - Hotel-motel in-room service license

(a) In-room service means the provision of a cabinet or other facility located in a hotel-motel guestroom which contains alcoholic beverages and which is provided upon written request of the guest and which is accessible by lock and key only to the guest and for which the sale contained therein is final at the time requested.

(b) Any hotel-motel that acquires this in-room service shall also be required to obtain a license for consumption on the premises and meet all of the requirements of this chapter.

(c) The sale of beer and/or wine by in-room service shall be subject to all restrictions and limitations relative to the retail sale of any alcoholic beverages, except as provided otherwise in this section.

(Ord. of 5-28-2013)

Sec. 6-49. - Sales; off premises for catered functions

(a) Licenses may be obtained for the purpose of selling or dispensing alcoholic beverages by the drink on premises at which authorized catered functions are to be held.

(1) Such licenses may be obtained only by those persons, firms, or corporations with a valid local beverage alcohol license and a valid state retail dealer license.

(2) Such licenses shall only authorize the caterer to sell those alcoholic beverages for which he/she is licensed.

(b) Before a licensed alcoholic beverage caterer may sell or dispense alcoholic beverages at any authorized catered function, such caterer shall obtain a permit from the Financial Services Director or designee at least ten working days prior to the event.

- (1) The application for a permit shall include the name of the alcoholic beverage caterer, the caterer's license number, and the date, address and time of the event.
 - (2) No permit fee shall be charged for the alcoholic beverage caterers licensed by the City.
 - (3) For caterers licensed by jurisdictions other than the City, a permit fee of \$50.00 per event shall be charged.
 - (4) The permit shall be good for the specific event at the specific address and times set forth in the application.
 - (5) As a condition of the permit, alcoholic beverage caterers licensed by jurisdictions other than the City shall be provided a copy of the City's alcoholic beverages ordinances and acknowledge the applicability of such ordinances to their operations.
 - (6) The permit and a copy of the state license shall be kept in the vehicle used to transport alcoholic beverages to the event at all times during which the permit is in effect.
 - (7) Caterers licensed by the City or any other jurisdiction shall maintain records of alcoholic beverages transported for each event as may be required by state law.
- (c) The hours and days of sale or distribution of alcoholic beverages under this section shall be the same as section 6-183 of this chapter.
- (d) No licensed alcoholic beverage caterer shall employ any person under 21 years of age to dispense, serve, sell or handle alcoholic beverages at authorized catered functions.
- (e) Except as set forth above in the section, an off-premises permit holder must comply with all other provisions set forth in this chapter.

(Ord. of 5-28-2013)

Secs. 6-50—6-65. - Reserved

ARTICLE III. - REGULATIONS
DIVISION 1. - GENERALLY

- Sec. 6-66. - Building requirements.
- Sec. 6-67. - Distance requirements.
- Sec. 6-68. - Reserved.
- Sec. 6-69. - Retailer to purchase from licensed wholesaler only.
- Sec. 6-70. - Retail consumption dealers to store inventory only on premises.
- Sec. 6-71. - Licensees to maintain a copy of this chapter; employees to be familiar with terms.
- Sec. 6-72. - Noise from establishments prohibited.
- Sec. 6-73. - No adding to contents.
- Sec. 6-74. - Sale on election days.
- Sec. 6-75. - Order required.
- Sec. 6-76. - Removal of a partially consumed bottle of wine.
- Secs. 6-77. — 6-90. - Reserved.

Sec. 6-66. - Building requirements.

- (a) No alcoholic beverage license shall be issued to any person unless the building in which the business will be located is complete and detailed plans of such building and outside premises are attached to the application, or unless proposed plans and specifications and a building permit of a proposed building to be built are attached to the application. The completed building or the proposed building shall comply with City ordinances, regulations of the State Board of Commissioners and the State. The proposed building shall also be subject to final inspection and approval by the Building Inspector.
- (b) Each building in which the business will be located shall contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times from the front of the street on which the building is located so as to reveal all of the outside premises of such building.
- (c) Each applicant for an alcoholic beverage license shall attach to the application evidence of ownership of the building or proposed building or a copy of the lease if the applicant is leasing the building. If the applicant is a franchisee, then such applicant shall attach a copy of the franchise agreement or contract with the application.
- (d) All premises for which an alcoholic beverage license shall be issued shall afford adequate sanitary toilet facilities and shall be adequately illuminated so that all hallways, passageways and open areas may be clearly seen by its customers.

(Ord. of 5-28-2013)

Sec. 6-67. - Distance requirements

- (a) A license to sell any alcoholic beverages shall not be granted to any establishment within 300 feet of a church or within 600 feet of any school building, unless authorized by the City Council.
- (b) A license to sell retail package distilled spirits, a package store, shall not be issued to any establishment within 200 feet of any residence in addition to the distance requirements set forth in this section for churches and schools.
- (c) A license to sell retail package distilled spirits, a package store, shall not be issued to any establishment within 1,500 feet of another package store located either within or outside the City limits.
- (d) The term "school building" referred to in this section shall apply only to state, county, city or church school buildings. It includes only those structures in which instruction is offered. The term "instruction" refers to subjects commonly taught in the schools and colleges of this state.

(e) The term “church building” referred to in this section shall mean the main structure used by any religiously affiliated organization for purposes of worship.

(f) For the purposes of this section, distance shall be measured in a straight line from front door of the structure from which alcoholic beverages are sold or offered for sale, to the front door of the building of a church, government-owned treatment center or a retail package store.

(g) Any location licensed to sell alcoholic beverages on the effective date of the ordinance from which this chapter is derived, shall not be denied continued operation under an existing license, denied any renewal of such license or no new owner of such location may be denied a new license based upon the measurements set forth in this section.

(h) As to any location licensed in the future, if the distance requirements in this section are met at the time of issuance of any license, the subsequent opening and operation of a church or school within the distance prohibited in this section shall not prevent the continuance of an existing license or the renewal thereof or the issuance of a new license to any subsequent owner of such property.

(Ord. of 5-28-2013)

Sec. 6-68. - Reserved

Sec. 6-69. - Retailer to purchase from licensed wholesaler only

(a) No retailer shall purchase alcoholic beverages from any person, firm or corporation other than a wholesaler licensed by the State of Georgia. No wholesaler shall sell any alcoholic beverage to anyone other than a retailer licensed under this chapter. However, this section shall not prohibit the purchase by one retailer of another retailer’s entire stock in a bona fide purchase of an ongoing business.

(b) The Financial Services Director or designee may request, information concerning purchases and sales of alcoholic beverages from retailers and wholesalers.

(Ord. of 5-28-2013)

Sec. 6-70. - Retail consumption dealers to store inventory only on premises

No retail consumption dealer licensed under this chapter shall keep any beer, wine or other alcoholic beverages at any place except the licensed place of business.

(Ord. of 5-28-2013)

Sec. 6-71. - Licensees to maintain a copy of this chapter; employees to be familiar with terms

Each licensed alcoholic beverage dealer under this chapter shall keep a current copy of this chapter in the licensed premises and shall instruct any person working there with respect to its terms; and each licensee, the licensee’s agents and employees selling alcoholic beverages shall at all times be familiar with its terms.

(Ord. of 5-28-2013)

Sec. 6-72. - Noise from establishments prohibited

Noise emanating from licensed alcohol beverage establishments shall be governed by the City’s prevailing noise regulations.

(Ord. of 5-28-2013)

Sec. 6-73. - No adding to contents

No one shall add to or permit the adding to any alcoholic beverage or refill any alcoholic beverage manufacturer's container in any manner.

(Ord. of 5-28-2013)

Sec. 6-74. - Sale on election days

Licensees may sell alcoholic beverages on election days, provided that such sale is not within 250 feet of a any polling place or the limitations imposed by this section shall be in effect beginning with the opening of the polls and ending with the closing of the polls.

(Ord. of 5-28-2013)

Sec. 6-75- Order required

(a) Owners, managers, and employees of a licensed business shall be responsible for keeping an orderly place and shall not permit any employee, patron, or other person to cause a disturbance or engage in loud, boisterous, lewd, or obscene conduct or practice within the establishment.

(b) The owner and manager of any alcoholic beverage establishment shall be responsible for monitoring parking lots and other outside areas around the establishment and prohibiting patrons and other persons associated with the establishment from standing, sitting, mingling, or assembling outside the licensed premises in a manner which causes or contributes to disturbances and/or illegal acts.

(Ord. of 5-28-2013)

Sec 6-76. Removal of a partially consumed bottle of wine

(a) Any restaurant which is licensed to sell wine for consumption on premises may permit a patron to remove one unsealed bottle of wine per patron for consumption off premises under the following conditions:

- (1) The patron has purchased a meal from the restaurant and consumed a portion of the bottle of wine which has been purchased on the premises with such meal.
- (2) The partially consumed bottle of wine that is to be removed from the premises must be securely resealed by the licensee before removal from the premises.
- (3) The partially consumed bottle of wine shall be placed in a bag or other container that is secured in such a manner that it is visibly apparent if the container has been subsequently tampered with or opened.
- (4) A dated receipt for the meal and the purchase of the bottle of wine shall be provided by the licensee and attached to the container.

(Ord. of 5-28-2013)

Secs. 6-77—6-90. - Reserved

ARTICLE III. - REGULATIONS
DIVISION 2. - MINORS

- Sec. 6-91. - Employment of underage persons.
- Sec. 6-92. - Failure to require and properly check identification.
- Sec. 6-93. - Sales to underage person prohibited.
- Sec. 6-94. - Purchase or possession of alcoholic beverages by underage persons.
- Secs. 6-95—6-110. - Reserved.

Sec. 6-91. - Employment of underage persons

- (a) No person shall allow or require a person in his employment under 18 years of age to dispense, serve, sell, or take orders for any alcoholic beverage.
- (b) The provisions of this section shall not prohibit persons under 18 years of age who are employed in supermarkets or convenient stores from selling or handling alcoholic beverages which are sold for consumption off the premises.

(Ord. of 5-28-2013)

Sec. 6-92. - Failure to require and properly check identification

- (a) It shall be a violation not to require and properly check identification to ensure an underage person is not sold, served, or have in his possession, alcoholic beverages while in a licensed establishment.
- (b) The term “identification” in this section shall mean any document issued by a governmental agency containing a description of the person, such person’s photograph and giving such person’s date of birth and shall include, without being limited to, a passport, military ID card, driver’s license or state issued ID card. Proper identification shall not include a birth certificate.

(Ord. of 5-28-2013)

Sec. 6-93. - Sales to underage person prohibited

- (a) No holder or employee of the holder of a license authorizing the sale of alcoholic beverages, shall do any of the following upon the licensed premises:
 - (1) Sell or offer to sell any distilled spirits, wines, malt beverages, or any other alcoholic beverage to any person under the age of 21 years.
 - (2) The prohibition in subsection (1) of this section shall not apply with respect to the sale of distilled spirits to a person when such person has furnished proper identification showing that the person to whom the distilled spirits are being sold is 21 years of age or older. For the purpose of this subsection, the term “proper identification” in this section shall mean any document issued by a governmental agency containing a description of the person, such person’s photograph, and giving such person’s date of birth shall include, without being limited to, a passport, military ID card, driver’s license, or state issued ID card. Proper identification shall not include a birth certificate.
 - (3) Sell alcoholic beverages upon the licensed premises or permit alcoholic beverages to be consumed thereon, on any day or at any time when the sale or consumption is prohibited by law.
 - (4) No person who holds a license to sell alcoholic beverages by the drink shall allow any minors to be in, frequent or loiter about the licensed premises of the establishment or lounge unless such minors are accompanied by a parent, legal guardian, or custodian. However, such minors shall be permitted in eating establishments, indoor commercial recreational establishments, or private clubs as defined in this chapter without being accompanied by a parent, legal guardian, or custodian; and, provided further, this subsection shall not apply to minors who are employees under the terms of this chapter.

(b) The penalty for violation of this section by an individual shall be as set forth in section 1-11.

(c) Any licensed establishment where three or more violations of this section, or O.C.G.A. § 3-3-23 have occurred within any 36-month period shall be punished as follows:

(1) For the third offense within any 36-month period, a minimum 30 day suspension.

(2) For the fourth and any subsequent violation within any 36-month period, a minimum 90 day suspension.

(3) For the fifth offense within any 36 month period, the license will be revoked.

(d) If there is a change in a majority of the licensed establishment's owners, partners or shareholders, the violations under the old ownership shall not count against the new owners; however, a different corporation, partnership or other association will be charged with the violations of its predecessor(s) if a majority of the owners, partners or shareholders are the same.

(Ord. of 5-28-2013)

Sec. 6-94. - Purchase or possession of alcoholic beverages by underage persons

(a) No person under the age of 21 years shall purchase or possess any alcoholic beverage.

(b) No person under the age of 21 years shall attempt to purchase any alcoholic beverage or misrepresent their age in any manner for the purpose of obtaining alcoholic beverages.

(Ord. of 5-28-2013)

Secs. 6-95—6-110. - Reserved

ARTICLE III. - REGULATIONS
DIVISION 3. - EMPLOYEES

Sec. 6-111. - Regulations as to employees and managers.
Secs. 6-112. — 6-130. - Reserved.

Sec. 6-111. - Regulations as to employees and managers

(a) No licensee or employee of the licensee authorized to sell alcoholic beverages, shall do any of the following at the licensed premises:

(1) Sell or offer to sell any alcoholic beverages to any person who is noticeably intoxicated, who is of unsound mind, or who is a habitual drunkard whose intemperate habits are known to the licensee or his employees.

(2) Consume alcoholic beverages while on duty. For purposes of this section, any licensee or employee of an establishment who is on the premises shall be presumed on duty if he is:

- a. Being paid a salary or wage of any kind while on the premises;
- b. Is on the premises for the benefit of the establishment (not as a customer, patron or guest);
- c. Engaging in the direct or indirect sale of food or beverage;
- d. Taking a break during periods of on-duty employment.

(Ord. of 5-28-2013)

Secs. 6-112. — 6-130. - Reserved

ARTICLE III. - REGULATIONS
DIVISION 4. - CONSUMPTION ON PREMISES

- Sec. 6-131. - Poured alcohol transported by employees.
- Sec. 6-132. - Open area and patio sales.
- Sec. 6-133. - No outside consumption.
- Sec. 6-134. - Solicitation prohibited.
- Sec. 6-135. - Adult entertainment.
- Secs. 6-136. — 6-139. - Reserved.
- Sec. 6-140. - Wine and/or beer tasting permitted use — Retail license.
- Sec. 6-141. - Wine and or beer tasting permitted use — Retail package store license.
- Sec. 6-142. - Beer and/or wine amenity permit.
- Secs. 6-143. — 6-155. - Reserved.

Sec. 6-131. - Poured alcohol transported by employees

Poured alcoholic beverages will be transported from point of dispensing to the customer by the licensee's employees only.

(Ord. of 5-28-2013)

Sec. 6-132. - Open area and patio sales

- (a) Alcoholic beverage sales can be made by a licensed, consumption on premises, establishment in a patio/open area type environment if the establishment has been approved to do so by the Financial Services Director or designee.
- (b) The requirement for approval of a patio/open area type environment is that the patio/open area be enclosed by some structure providing for public ingress/egress only through the main licensed premises. The purpose of this requirement is to prevent a customer from leaving the outside sales area with an open drink without the licensee's knowledge.
- (c) The height of the structure required in subsection (b) of this section shall be a minimum of three and one-half feet above ground level. It does not have to be solid nor does it have to restrict visibility into or out of the patio/open sales area. It must be permitted and approved by the City's Building Inspection Department and the County's Fire Department as required by their governing regulations or codes.
- (d) The only exit from this type area is to be through the licensed establishment's main premises or through an approved fire exit (not for general public use unless an emergency exists). The fire exit should be of the type that sounds an alarm so that the establishment will be alerted in the event of unauthorized use when no emergency exists.
- (e) If a licensee desires a patio/open sales area inside an existing structure, plans will be reviewed and approved on an individual basis by the Financial Services Director or designee. Interior type patio/open sales areas must also meet the requirements of the City's building, development and fire codes.
- (f) Nothing contained in this section shall prohibit a hotel or motel with a consumption on the premises license from making sales and allowing consumption of alcoholic beverages in ballrooms, meeting rooms, reception rooms, or patio areas of such hotel or motel provided such functions are catered in connection with a meeting, conference, convention or similar type gathering at such hotel or motel. "Patio areas," as that term is used in this subsection, do not have to conform to the standards in this section.
- (g) Approved sidewalk cafés, pursuant to section 22-207 or subsection 22-208(5) of this Code within the Town Center District, may be exempt from subsections (b)—(e) of this section.

(Ord. of 5-28-2013)

Sec. 6-133. - No outside consumption

(a) It is prohibited for customers to leave alcoholic beverage establishment premises, with open alcoholic beverages and it is the licensee's responsibility to ensure that no open alcoholic beverages are carried out. However, nothing in this section shall be construed to prohibit the carrying out of wine or malt beverages for consumption at a golf course.

(b) It is prohibited for customers to gather outside an alcoholic beverage establishment and consume alcoholic beverages.

(c) It is prohibited for the manager or any employee of an alcoholic beverage establishment to allow persons to gather outside an alcoholic beverage establishment and consume alcoholic beverages.

(Ord. of 5-28-2013)

Sec. 6-134. - Solicitation prohibited

(a) No retail consumption dealers licensed under this chapter shall require, permit, suffer, encourage, or induce any employee or person to solicit in the licensed premises for the licensee, or for any person other than the patron and guest of the patron, the purchase by the patron of any drink, whether alcoholic beverage or nonalcoholic beverage or money with which to purchase the same.

(b) Nor shall any licensee pay a commission or any other compensation to any person frequenting his establishment or to the licensee's manager to solicit for themselves or for others, the purchase of any drink; whether alcoholic beverage or nonalcoholic beverage or money with which to purchase the same.

(Ord. of 5-28-2013)

Sec. 6-135. - Adult entertainment

The adult entertainment establishments ordinance, adopted on September 18, 2001, codified in article II of chapter 10 of this Code, is incorporated in this article as if set forth verbatim.

(Ord. of 5-28-2013)

Secs. 6-136—6-139. - Reserved

Sec. 6-140. - Wine and/or beer tasting permitted use—Retail license

(a) An entity possessing a duly issued retail wine and/or beer license (off premises consumption) shall be eligible to apply for a wine and/or beer tasting permit.

(b) An eligible licensee may petition the City for a wine and/or beer tasting permit provided it meets all the applicable requirements in this chapter and maintains a valid retail wine and/or beer license.

(c) A tasting permit shall allow the license holder to offer or sell wine and/or beer samples in connection with an instructional or educational promotion.

(d) A tasting permit is intended to allow such activity on a limited basis and shall not be part of the core operations of such establishment.

(e) The tasting permit need only be applied for once and shall automatically renew when the retail license is renewed, provided, however that the City may revoke or suspend such tasting permit and/or impose such conditions on its operation at the City's discretion for violations of this chapter or in furtherance of the health, safety, and welfare of the City's inhabitants.

(Ord. of 5-28-2013)

Sec. 6-141. - Wine and/or beer tasting permitted use—Retail package store license

- (a) An entity possessing a duly issued retail package store license (off premises consumption) shall be eligible to apply for a wine and/or beer tasting permit.
- (b) An eligible licensee may petition the City for a wine and/or beer tasting permit provided it meets all the applicable requirements in this chapter and maintains a valid retail Package Store license.
- (c) A tasting permit shall allow the license holder to offer or sell wine and/or beer samples in connection with an instructional or educational promotion.
- (d) A tasting permit is intended to allow such activity on a limited basis and shall not be part of the core operations of such establishment or occur on a daily basis.
- (e) Wine and/or beer tasting shall be limited to a confined, enclosed area with a single means of ingress and egress into such area. The applicant's proposed measures to segregate the wine and/or beer tasting area along with proposed staffing and oversight shall be submitted and approved by the Chief of Police or designee.
- (f) The tasting permit need only be applied for once and shall automatically renew when the retail license is renewed, provided, however that the City may revoke or suspend such tasting permit and/or impose such conditions on its operation at the City's discretion for violations of this chapter or in furtherance of the health, safety, and welfare of the City's inhabitants.

(Ord. of 5-28-2013)

Sec. 6-142. –Beer and/or wine amenity permit

A non-eating establishment that offers beer and/or wine as an act of hospitality, where it is clearly a secondary function of the business, shall be eligible to apply for a beer and/or wine amenity permit. Eating establishments shall not be eligible for a beer and/or wine amenity permit.

- (a) An amenity permit shall allow the permit holder to offer beer and/or wine as an act of hospitality and shall not be part of the core operations of such establishments.
- (b) The amenity permit need only be applied for once and shall automatically renew when the occupational tax certificate is renewed, provided, however that the City may revoke or suspend such amenity permit and/or impose such conditions on its operation at the City's discretion for violations of this chapter or in furtherance of the health, safety, and welfare of the City's inhabitants.
- (c) The initial amenity permit application shall include a background check. A \$50.00 administrative fee shall be charged to cover this administrative process.

(Ord. of 5-28-2013)

Secs. 6-143—6-155. - Reserved

ARTICLE IV. - DISTILLED SPIRITS CONSUMPTION

- Sec. 6-156. - Permitted locations.
- Sec. 6-157. - Investigative and administrative costs.
- Sec. 6-158. - Hours and days of sale.
- Sec. 6-159. - Consumption on premises sales only.
- Sec. 6-160. - Advertising in official legal organ of City.
- Sec. 6-161. - Per drink excise tax on distilled spirits.
- Secs. 6-162. — 6-180. - Reserved.

Sec. 6-156. - Permitted locations

Distilled spirits sold by the drink for consumption on the premises are permitted only at the following locations, with the noted limitations:

- (1) In eating establishments regularly serving prepared food with a full service kitchen, regularly serving food every hour they are open and deriving at least as much gross receipts annually from the sale of prepared meals or food as it derives from the sale of distilled spirits.
- (2) In indoor commercial recreation establishments.
- (3) In an indoor civic and cultural center capable of serving prepared food with a full service kitchen, prepared to serve food every hour they are open and deriving at least 70 percent of its total annual gross sales from the sale of prepared meals or foods and recreation activities.
- (4) When eating establishments are located in hotels, motels and high-rise office and apartment buildings, every entrance to the area serving distilled spirits shall be from a public lobby, hallway, mall or other publicly used interior portion of the primary use structure.

(Ord. of 5-28-2013)

Sec. 6-157. - Investigative and administrative costs

- (a) Each application for a license under this chapter shall be accompanied by a check or cash in the amount of \$150.00 for investigative and administrative costs.
- (b) The fee shall not be refundable if the license is denied or if the licensee withdraws the application.
- (c) Anyone applying for more than one license shall pay only one investigative and administrative fee.
- (d) Any applicant for a new license under this chapter that already holds an existing license, shall have the investigative and administrative fee waived.

(Ord. of 5-28-2013)

Sec. 6-158. - Hours and days of sale

- (a) Distilled spirits shall only be sold for consumption on the premises between the hours of 9:00 a.m. until 2:00 a.m., Monday through Saturday.
- (b) Distilled spirits shall not be sold for consumption at any time in violation of any local ordinance or regulation or of any special order of the Mayor and City Council.
- (c) The sale of distilled spirits for consumption on the premises is permitted on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment.
- (d) Distilled spirits may be sold for consumption on the premises from 12:00 midnight to 2:00 a.m. on any Monday, which is New Year's Day, January 1, of any year.

(Ord. of 5-28-2013)

Sec. 6-159. - Consumption on premises sales only

Persons holding a license to sell distilled spirits for consumption on the premises shall not be permitted to sell any alcoholic beverage by the package or bottle.

(Ord. of 5-28-2013)

Sec. 6-160. - Advertising in official legal organ of City.

A notice of each application to sell distilled spirits for consumption shall be advertised in the City's legal organ once a week for two weeks immediately preceding consideration of the application.

(Ord. of 5-28-2013)

Sec. 6-161. - Per drink excise tax on distilled spirits

(a) There is hereby levied and imposed a specific excise tax on the sale of distilled spirits in the amount of 3 percent of the charge to the public for the beverage; this does not include any sales tax.

(b) The excise tax imposed in this subsection does not apply to the sale of fermented beverages made in whole or in part from malt or any similar fermented beverages made in whole or in part from fruit, berries or grapes either by natural fermentation or fermentation with brandy or any similar fermented beverage.

(c) The excise taxes provided for in this section shall be imposed upon and shall be paid by the licensee of distilled spirits by the drink.

(d) Each licensee selling distilled spirits by the drink within the City shall file a report with the City by the 20th day of each month showing the preceding calendar month summary of the licensee's gross sales derived from the sale of distilled spirits sold by the drink during the month.

(e) Each such licensee shall remit to the City by the 20th day of the month next succeeding the calendar month in which such sales were made the amount of excise tax due in accordance with this section.

(f) Each licensee collecting the tax authorized by this section shall be allowed a percentage of the tax due and account for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if the amount is not delinquent at the time of payment. The deduction amount authorized will be the rate authorized under O.C.G.A. § 48-8-50, as now written or hereafter amended; (currently the rate of deduction as authorized under O.C.G.A. § 48-8-50 is 3 percent of the total amount due.

(g) Excise taxes received after the 20th day of the month shall be charged a ten percent penalty.

(h) If the Financial Services Director or designee deems it necessary to conduct an audit of the records and books of the licensee, he/she will notify the licensee and an agreed upon date and time will be arranged.

(i) Failure to properly complete or submit the required reports shall subject the licensee to a late filing penalty of \$25.00 for each deficient reporting period.

(Ord. of 5-28-2013)

Secs. 6-162—6-180. - Reserved.

ARTICLE V. - BEER AND WINE CONSUMPTION

- Sec. 6-181. - Permitted locations.
- Sec. 6-182. - Investigative and administrative costs.
- Sec. 6-183. - Hours and days of sale.
- Secs. 6-184. — 6-200. - Reserved.

Sec. 6-181. - Permitted locations.

Beer and/or wine sold for consumption on the premises is permitted only at the following locations, with the noted limitations:

- (1) In eating establishments regularly serving prepared food with a full service kitchen regularly serving food every hour they are open and deriving at least 40 percent of gross receipts annually from the sale of prepared meals or food as it derives from the sale of beer and/or wine.
- (2) In indoor commercial recreation establishments.
- (3) In an indoor civic and cultural center capable of serving prepared food, with a full service kitchen prepared to serve food every hour they are open and deriving at least 60 percent of its total annual gross sales from the sale of prepared meals or foods and recreation activities.
- (4) When eating establishments are located in hotels, motels, and high-rise office and apartment buildings, every entrance to the area serving beer and/or wine shall be from a public lobby, hallway, mall or other publicly used interior portion of the primary use structure.
- (5) Or at a golf course.
- (6) These eating establishments must be located in zoning districts which permit restaurants and drive-in restaurants as conforming uses or where these eating establishments are incidental to a hotel or motel.
- (7) In the Town Center District during a properly authorized special event.

(Ord. of 5-28-2013)

Sec. 6-182. - Investigative and administrative costs.

- (a) Each application for a license under this chapter shall be accompanied by a check or cash in the amount of \$150.00 for investigative and administrative costs.
- (b) The fee shall not be refundable if the license is denied or if the licensee withdraws the application.
- (c) Anyone applying for more than one license shall pay only one investigative and administrative fee.
- (d) Any applicant for a new license under this chapter that already holds an existing license, shall have the investigative and administrative fee waived.

(Ord. of 5-28-2013)

Sec. 6-183. - Hours and days of sale.

- (a) Beer and/or wine shall only be sold for consumption on the premises between the hours of 9:00 a.m. and 2:00 a.m., Monday through Saturday.
- (b) No beer and/or wine shall be sold for consumption at any time in violation of any local ordinance or regulation or of any special order of the Mayor and City Council.
- (c) The sale of beer and/or wine for consumption on the premises is permitted on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment.
- (d) Beer and/or wine may be sold for consumption on the premises from 12:00 midnight to 2:00 a.m. on any Monday which is New Year's Day, January 1, of any year.

(Ord. of 5-28-2013)

Secs. 6-184—6-200. - Reserved.

ARTICLE VI. - PRIVATE CLUBS

- Sec. 6-201. - Definitions.
- Sec. 6-202. - Brewpub definition, regulation, excise tax and administration.
- Sec. 6-203. - Regulation of sale of alcoholic beverages.
- Sec. 6-204. - Certain organizations exempt from food establishment requirement.
- Sec. 6-205. - Investigative and administrative costs.
- Sec. 6-206. - Hours and days of sale.
- Secs. 6-207. — 6-225. - Reserved.

Sec. 6-201. - Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) Fixed salary. The amount of compensation paid any member, officer, agent, or employee of a bona fide private club as may be fixed by its members at a prior annual meeting or by the governing body out of the general revenue of the club and shall not include a commission on any profits from the sale of alcoholic beverages. For the purpose of this definition, tips or gratuities, which are added to the bills under club regulation, shall not be considered as profits from the sale of alcoholic beverages.
- (b) Private club. Any association organized under the laws of this state which:
 - (1) Has been in existence at least six months prior to the filing of its application for a license to be issued pursuant to this article.
 - (2) Has at least 30 regular dues paying members.
 - (3) Owns, hires or leases a building or space within a building for the reasonable use of its members with:
 - a. Suitable kitchen and dining room space and equipment;
 - b. A sufficient number of employees for cooking, preparing and serving meals for its members and guests; and
 - c. Has no member, officer, agent or employee directly or indirectly receiving in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond a fixed salary.
- (c) Sports club. An association or corporation organized and existing under the laws of the State, organized and operated primarily to provide a location for the patrons thereof to engage in sporting events.
 - (1) To qualify for an alcoholic beverage consumption license, a sports club must have been actively in operation within the City at least six months prior to an application for license under this chapter. However the six month operational requirement shall not apply to golf club associations or golf club corporations where the selling or the serving of alcoholic beverages is to take place on the golf course premises.
 - (2) A sports club organized or operated primarily for serving of alcoholic beverages shall not qualify for licensing under this chapter, and accordingly shall not be permitted to serve alcoholic beverages at any time.
 - (3) Unless otherwise indicated, a sports club licensee shall comply with all other requirements imposed upon retail consumption dealers.

(Ord. of 5-28-2013)

Cross reference— Definitions generally, § 1-2.

Sec. 6-202. - Brewpub definition, regulation, excise tax and administration

(a) Brewpub. Any eating establishment in which beer or malt beverages are manufactured or brewed for retail consumption on the premises. The term “eating establishment” as used in this section means any public place, including a place available for rental by the public, selling prepared food for consumption by the public on the premises with a full service kitchen prepared to serve food every hour the establishment is open and derives at least 40 percent of gross receipts quarterly from the sale of prepared meals or food.

(b) No person, firm or corporation shall be issued a brewpub license without first obtaining a retail consumption license.

(c) A brewpub license authorizes the holder of such license to manufacture on the licensed premises not more than 10,000 barrels of beer in a calendar year solely for retail sale on the premises and solely in draft form. The maximum numbers of barrels of beer manufactured in a calendar will be the quantity authorized under O.C.G.A. § 3-5-36, as now written or hereafter amended: (currently the maximum number of barrels of beer manufactured in a calendar is 10,000).

(d) Distribution of any beer and malt beverages produced by a brewpub licensed under this chapter to any wholesaler is prohibited.

(e) There is levied an excise tax on all beer and malt beverages produced by a brewpub at the rate of \$6.00 per half barrel (15½ gallons) and \$12.00 per barrel (31 gallons). Such tax shall be paid to the Financial Services Director or designee no later than the 20th day of each month for the preceding month’s production. A late payment penalty of ten percent of the tax otherwise due shall be added to the amount due for any payment not received by the due date.

(f) Administration.

(1) The Financial Services Director or designee, is authorized to establish procedures for administering all provisions of this chapter to include, but not be limited to, reporting forms and requirements, or establishing procedures and schedules for conducting financial audits or inspections of the books or records of any establishment licensed under this section.

(2) Every brewpub located within the City shall file a monthly report with the Financial Services Director or designee no later than the 20th day of each month, on such forms as the Financial Services Director or designee may prescribe, setting forth all beer and malt beverages produced during such preceding calendar month, to include beginning and ending inventories. Such report shall also indicate the total production of beer and malt beverages during the report period and the proper tax remittance for such production. Failure to properly complete or submit the required reports shall subject the licensee to a late filing penalty of \$25.00 for each deficient reporting period.

(Ord. of 5-28-2013)

Cross reference— Definitions generally, § 1-2.

Sec. 6-203. - Regulation of sale of alcoholic beverages

Private clubs may sell and dispense alcoholic beverages upon compliance with all applicable ordinances and regulations of the City governing the sale of such beverages and upon payment of such license fees and taxes that are required.

(Ord. of 5-28-2013)

Sec. 6-204. - Certain organizations exempt from food establishment requirement

Veterans organizations, fraternal organizations, and other nonprofit organizations currently having tax exempt status under either the United States Internal Revenue Code or the Georgia Income Tax Law shall not be required to operate a food establishment serving prepared food. However, any such organization selling or dispensing alcoholic beverages shall be subject to all ordinance regulations dealing with general licensing and consumption on the premises establishments.

(Ord. of 5-28-2013)

Sec. 6-205. - Investigative and administrative costs

- (a) Each application for a license under this chapter shall be accompanied by a check or cash in the amount of \$150.00 for investigative and administrative costs.
- (b) The fee shall not be refundable if the license is denied or if the licensee withdraws the application.
- (c) Anyone applying for more than one license shall pay only one investigative and administrative fee.
- (d) Any applicant for a new license under this chapter that already holds an existing license, shall have the investigative and administrative fee waived.

(Ord. 5-28-2013)

Sec. 6-206. - Hours and days of sale.

- (a) Alcoholic beverages shall only be sold for consumption on the premises between the hours of 9:00 a.m. and 2:00 a.m., Monday through Saturday.
- (b) Alcoholic beverages shall not be sold for consumption at any time in violation of any local ordinance or regulation or of any special order of the Mayor and City Council.
- (c) The sale of alcoholic beverages for consumption on the premises is permitted on Sundays from 12:30 p.m. until 12:00 midnight in any licensed establishment.
- (d) Alcoholic beverages may be sold for consumption on the premises from 12:00 midnight to 2:00 a.m. on any Monday, which is New Year's Day, January 1, of any year.

(Ord. of 5-28-2013)

Secs. 6-207—6-225. - Reserved.

ARTICLE VII. - PACKAGE STORE LICENSING

- Sec. 6-226. - Type of retail establishment.
- Sec. 6-227. - Hours and days of sale.
- Sec. 6-228. - Use of tags or labels to indicate prices.
- Sec. 6-229. - Quantity sale requirements.
- Sec. 6-230. - Investigative and administrative costs.
- Sec. 6-231. - Package store provisions.
- Secs. 6-232. — 6-250. - Reserved.

Sec. 6-226. - Type of retail establishment.

No alcoholic beverages shall be sold at retail, except in establishments located in zoning districts in which these establishments are permitted as a conforming use or in districts where an existing establishment exists as a nonconforming use.

(Ord. of 5-28-2013)

Sec. 6-227. - Hours and days of sale.

(a) Retail package licensees may engage in the sale of alcoholic beverages between the hours of 7:00 a.m. Monday through 11:59 p.m. Saturday.

(b) Retail alcoholic beverages shall not be sold at any time in violation of any local ordinance or regulation or of any special order of the Mayor and City Council.

(c) Retail package licensees may engage in the sale of alcoholic beverages on Sundays between the hours of 12:30 p.m. and 11:30 p.m.

(Ord. of 5-28-2013)

Sec. 6-228. - Use of tags or labels to indicate prices.

Retailers of alcoholic beverages shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below where the containers are placed the prices of all beer and wine and distilled spirits exposed or offered for sale.

(Ord. of 5-28-2013)

Sec. 6-229. - Quantity sale requirements.

Single cans, bottles or other containers of alcoholic beverages may be sold.

(Ord. of 5-28-2013)

Sec. 6-230. - Investigative and administrative costs.

(a) Each application for a license under this chapter shall be accompanied by a check or cash in the amount of \$150.00 for investigative and administrative costs.

(b) The fee shall not be refundable if the license is denied or if the licensee withdraws the application.

(c) Anyone applying for more than one license shall pay only one investigative and administrative fee.

(d) Any applicant for a new license under this chapter that already holds an existing license, shall have the investigative and administrative fee waived.

(Ord. of 5-28-2013)

Sec. 6-231. - Package store provisions.

See appendix A to this Code, pertaining to zoning, for additional regulations concerning package stores.

(Ord. of 5-28-2013)

Secs. 6-232. — 6-250. - Reserved.

ARTICLE VIII. - WHOLESALER LICENSING

Sec. 6-251. - Special provisions applicable to wholesale purchases.

Sec. 6-252. - Excise tax required on wholesalers.

Sec. 6-253. - Hours and days of sale.

Sec. 6-254. - Audit and penalties.

Sec. 6-251. - Special provisions applicable to wholesale purchases.

(a) Any person desiring to sell at wholesale any alcoholic beverages in the City shall be licensed by the State of Georgia and maintain on file with the Financial Services Director or designee a copy of their current state wholesaler license.

(b) No person who has any direct financial interest in any license for the retail sale of any alcoholic beverages in the City shall be allowed to sell at wholesale within the City limits.

(c) No wholesaler shall sell any alcoholic beverage to any person other than a retailer licensed under this chapter. Provided, however, this section shall not prohibit the purchase by one retailer of another retailer's entire stock in a bona fide purchase of an ongoing business.

(d) No alcoholic beverage shall be delivered to any retail sales outlet in the City except by a duly State of Georgia licensed wholesaler. The name of the wholesale distributor shall be clearly marked on the delivery vehicle.

(Ord. of 5-28-2013)

Sec. 6-252. - Excise tax required on wholesalers.

(a) There is levied an excise tax computed at the rate of \$0.22 per liter or [\$0.0065] per ounce which shall be paid to the governing authority on all distilled spirits and wine sold by wholesalers to retailers in the City.

(b) Such tax shall be paid to the Financial Services Director or designee by the wholesale distributor on all distilled spirits and wine sold in the City as follows:

(1) Each wholesaler selling, shipping, or in any way delivering distilled spirits or wine to any licensees under this chapter, shall collect the excise tax at the time of delivery and shall remit the same to the City together with a summary of all deliveries to each licensee on or before the 20th day of the following month.

(2) Excise taxes received after the 20th day of the month shall be charged a ten percent penalty.

(3) It shall be unlawful and a violation of this chapter for any wholesaler to sell, ship or deliver in any manner any distilled spirits or wine to a retail dealer without collecting such tax.

(4) It shall be unlawful and a violation of this chapter for any retail dealer to possess, own, hold, store, display or sell any distilled spirits or wine on which such tax has not been paid. Wholesalers collecting the tax authorized in this section shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due, if the amount is not delinquent at the time of payment. The rate of the deduction shall be at the same rate authorized for deductions from state tax under O.C.G.A. § 48-8-50, and any amendment thereto.

(c) There is levied an excise tax on all beer and malt beverages sold by wholesalers to retailers in the City at the rate of \$0.05 per 12-ounce container and \$6.00 for each container of tap or draft beer or malt beverage of 15½ gallons and in similar proportion for bottles, cans and containers of various sizes as follows:

Size of Container	Tax per Container
7 -ounce	\$ 0.0291
8 -ounce	\$ 0.0333
12 -ounce	\$ 0.0500
14 -ounce	\$ 0.0583
16 -ounce	\$ 0.0666
32 -ounce	\$ 0.1333
Half barrel (15 1/2 gallons)	\$ 6.00
One barrel (31 gallons)	\$ 12.00

All provisions as to excise tax in this section shall apply to this tax on beer and malt beverages except the tax rate which is set out in this subsection and the reimbursement of three percent of the taxes collected which shall not apply to beer and malt beverage wholesalers.

(Ord. of 5-28-2013)

Sec. 6-253. - Hours and days of sale.

Wholesalers shall not engage in the sale of alcoholic beverages except between 7:00 a.m. and 6:00 p.m., Monday through Saturday. There shall be no sales of alcoholic beverages on Sunday.

(Ord. of 5-28-2013)

Sec. 6-254. - Audit and penalties.

(a) If the Financial Services Director or designee deems it necessary to conduct an audit of the records and books of the wholesaler selling within the City limits, shall be notified and an agreed upon, date, time and place of the audit will be arranged. Failure to arrange an agreed upon date within three months of an audit request will be deemed as an uncooperative act and the wholesaler will forfeit any right to sell within the City limits.

(Ord. of 5-28-2013)

REFERENCE SECTION

CITY ORDINANCE SECTION 1-11

ZONING ORDINANCE SECTIONS:

506.1

507

512.1

EXAMPLES OF STATE FORMS:

ATT-14

ATT-17

CRF-002

CRF-009

*All information is subject to change without notice and
is provided here for reference purposes only.*

CITY ORDINANCE - GENERAL PROVISIONS SECTION 1-11**Sec. 1-11. - General penalty, continuing violations.**

(a) Whenever in this Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or any ordinance the doing of any act is required and the failure to do such act is declared to be unlawful, and no specific penalty is provided; and unless otherwise provided by state law, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not to exceed \$1,000.00, imprisonment in the city or county jail and work and labor on the streets or public works of the city, whether within or without the corporate limits, not exceeding six months, or both a fine and sentence of imprisonment and labor; and all sentences may be in the alternative and fines may be imposed with the alternative of sentence to imprisonment and labor if the fines are not paid. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense.

(b) The judge of the municipal court shall have the power and authority to:

- (1) Impose upon persons convicted in the municipal court the fines provided for in this Code, the ordinances of the city, or as otherwise provided by law, with the alternative of other punishment allowed by law, if such fines are not paid;
- (2) Sentence such person to community service work; or
- (3) Impose a sentence consisting of any combination of the penalties provided for in this section.

(c) The judge of the municipal court shall have full power and authority to declare the forfeiture of bonds given by offenders for their appearance before the municipal court upon the offender's failure to appear as provided for in such bond. The procedure for the forfeiture of such bonds shall be as is provided for the forfeiture of bonds and recognizance set forth in O.C.G.A. § 17-6-70 et seq.

ZONING ORDINANCE - SECTION 506.1 C-2A

Sec. 506.1 C-2A - Special Commercial District - Alcoholic Beverage Sales

The C-2A Zoning District is intended primarily for those uses that sell alcohol for consumption in a location accessible to large numbers of people and that serve substantial portions of the community. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES

1. Retail, financial or personal business or service providing convenience goods and services to nearby residential areas. EXCEPT Fast Food Restaurants, the sale of malt beverages, wine, or liquor, Fortune Tellers, Psychics, Massage Parlors, Junk Yards or Auto Wrecking Establishments.
2. Manufacturing in connection with a retail store or shop, provided:
 - a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
3. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
4. Antique Shops.
5. Apparel Shops.
6. Art and school supply stores.
7. Art and Craft Studios.
8. Automobile Accessory and Parts Stores.
9. Automotive Sales Office without on-site storage of vehicles.
10. Bakeries.
11. Barber Shops.
12. Bars, Nightclubs, Lounges, Taverns and Restaurants serving alcoholic beverages for consumption on premises.
13. Beauty Shops.
14. Bicycle Sales, Rental and Repair Shops.
15. Book, Magazine and Stationary Stores.
16. Building Material or Garden Store Sales.
17. Carpet and Rug Stores.
18. Commercial Laundry and Dry Cleaning Pick-up Stations.
19. Community Clubs or Associations, Private, Public or Non-Profit.
20. Consumer Repair Services.
21. Continuing Education Facilities.
22. Convenience Stores, with or without gasoline pumps: provided that gasoline service pump islands, if provided, are:
 - a. Located at least 15 feet from an abutting Public Street.
 - b. Located not less than the existing building setback of any dwelling unit abutting the lot on either the frontage or side street.
23. Convention Centers.

24. Cultural Facilities.
25. Dance Studios.
26. Day Care Centers.
27. Dental Clinics or Laboratories.
28. Department Stores.
29. Dog Grooming Shops.
30. Eating or Drinking Establishments with or without Drive-thru Service.
31. Electronic sales and service establishments.
32. Emergency Care Facilities.
33. Employment Agencies.
34. Financial Services/Institutions.
35. Floor Covering Stores.
36. Florists.
37. Food Catering Establishments.
38. Food Preparation Facilities, Retail.
39. Food Stores, with or without the retail sale of beer and wine.
40. Funeral Homes.
41. Furniture Rental and Sales Establishments.
42. General Building Contractors Offices.
43. Hardware Stores.
44. Health Clubs.
45. Hobby Shops.
46. Hotels and Motels, provided:
 - a. Each hotel/motel shall be accessed through a main or central lobby with a lobby at least 1,000 square feet.
 - b. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby).
 - c. Each hotel/motel site shall be a minimum of two acres.
 - d. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day.
 - e. Each guest room shall have a minimum of three hundred (300) square feet.
 - f. Each hotel/motel building shall have a minimum roof pitch of four (4) in twelve (12).
 - g. Each hotel/motel shall provide an enclosed heated and air conditioned laundry space with a minimum of three washers and three dryers exclusively available for guest use.
 - h. Outside storage of commercial equipment is prohibited.
 - i. Each hotel/motel shall provide a fitness or recreational center with a minimum of 400 square feet which is available to guests.
 - j. Each hotel/motel must provide a single, enclosed meeting or conference space on the premises of 1,000 square feet or greater or a business center.
 - k. No business license shall be issue for any business operating from any guest room in the facility.
47. Jewelry Stores.

application guide

Alcohol License

48. Locksmiths.
49. Mail Services.
50. Medical Clinics or Laboratories.
51. Monument Retail Sales.
52. Movie Theaters, Indoor.
53. Music Stores.
54. Musical Instrument Sales and Repair Stores.
55. Office Supply Stores.
56. Offices, Administrative, Business or Professional.
57. Orthopedic and Medical Appliance and Supply Stores.
58. Paint and Wallpaper Stores.
59. Parking Lots and Garages, Offstreet, less than 750 parking spaces.
60. Performance Theaters, Indoor.
61. Personal Care Homes.
62. Pet Shops, including boarding in an enclosed building.
63. Pharmacies.
64. Photocopying/Reproduction Services.
65. Photographic Studios or Supplies.
66. Picture Framing Shops.
67. Plant Nursery and Commercial Greenhouses.
68. Plumbing, electrical, pool and home building supply showrooms and sales centers.
69. Printing and Publishing Establishments.
70. Public Buildings and Uses.
71. Public Utility Facilities.
72. Radio and Television Studios.
73. Reception Halls and Community Meeting Facilities.
74. Recreation Facilities, Indoor.
75. Recreation Facilities, Outdoor.
76. Religious Institutions
77. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
78. Schools, Public or Private.
79. Sporting Goods Stores.
80. Tailor Shops.
81. Toy Stores.

82. Veterinary Clinics without Outdoor Boarding.
83. Video Rental Establishments, not including adult entertainment.
84. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES

Within the C-2A Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Community Development and Planning Commission and after a public hearing:

1. Animal Daycare Facilities with Boarding and Outdoor Runs.
2. Automobile Repair Services, not including auto body or paint shop.
3. Automobile Sales Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
4. Automotive Rental Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
5. Automotive Restoration Services, not including paint or auto body shop.
6. Building Height Increase.
7. Car Wash Facilities.
8. Emissions Testing Facilities.
9. Executive Quarters Suites.
10. Manufactured Home Sales, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
11. Movie Theaters, Outdoor, provided:
 - a. Acceleration and deceleration lanes at least 200 feet in length are provided.
12. Outdoor Storage.
13. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.
14. Quick Vehicle Servicing Facilities.
15. Stand-alone ATMs.
16. Taxi Cab or Limousine Service Facilities.
17. Veterinary Clinics with Outdoor Boarding.

C. SPECIAL CONSIDERATIONS

All uses in the C-2A District serving alcohol must comply with all City Ordinances pertaining to the use and sale of alcoholic beverages, including the acquisition and/or maintenance of all appropriate licenses, permits and approvals.

D. DISTRICT DEVELOPMENT REGULATIONS

1. Minimum Lot Size.
 - a. N/A
2. Minimum Lot Width.
 - a. N/A
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
7. Maximum Height.
 - a. 35 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.

ZONING ORDINANCE - SECTION 507 C-3

Sec. 507. C-3 Special Commercial District

The C-3 Zoning District is intended for those commercial uses that require a location accessible to the business and residential community. Within the C-3 Zoning District, outdoor storage yards are prohibited, except for retail display of goods. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. PERMITTED USES

Within the C-3 Zoning District, the following uses shall be permitted.

1. Retail, financial or personal business or service providing convenience goods and services to nearby residential areas. EXCEPT Fast Food Restaurants, the sale of malt beverages, wine, or liquor, Fortune Tellers, Psychics, Massage Parlors, Junk Yards or Auto Wrecking Establishments.
2. Manufacturing in connection with a retail store or shop, provided:
 - a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
3. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.

4. Adult Entertainment Facilities¹, provided :
 - a. Said facility meets all requirements set forth by the City of Suwanee Code regulating Adult Entertainment Establishments;
 - b. Said facility shall not be located on a parcel of land that is closer than 1,000 feet of any parcel of land which is either named or used for residential uses or purposes; and
 - c. Said facility shall not be located on parcel of land that is closer than 1,000 feet of any parcel of land upon which a place of worship (eg. church, mosque, synagogue), school, governmental building, library, civic center, public park or playground is located; and
 - d. Said facility shall not be located on a parcel of land that is closer than 1,000 feet from a parcel of land which contains another adult entertainment facility establishment.
 - e. Said facility shall not be located on a parcel of land that is closer than 750 feet from a parcel of land which contains a Package Store.
5. Animal Daycare Facilities with Boarding and Outdoor Runs.
6. Antique Shops.
7. Apparel Shops.
8. Art and school supply stores.
9. Art and Craft Studios.
10. Automobile Accessory and Parts Stores.
11. Automobile Repair Services, not including auto body or paint shop.
12. Automobile Sales Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
13. Automotive Rental Facilities, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
14. Bail Bonds Services.
15. Bakeries.
16. Barber Shops.
17. Bars, Nightclubs, Lounges, Taverns and Restaurants, serving alcoholic beverages for consumption on premises.
18. Beauty Shops.
19. Bicycle Sales, Rental and Repair Shops.

¹ *The City of Suwanee finds that the regulation of the location of certain adult establishments is necessary to promote and protect the public health, safety, and general welfare of the City as said establishments, have been shown to exhibit detrimental secondary effects which would yield them inappropriate in certain zoning classifications and adjacent to or near certain institutions.*

The City takes official notice of certain studies which have illustrated harmful secondary negative effects of adult establishments/sexually oriented businesses including increased crime, decreased property values, increased blight, and increased law enforcement expenditures. The City Council has reviewed documentary evidence and studies in other jurisdictions including Gwinnett County, Georgia; Rome, Georgia; and other communities throughout the United States including thirty-two communities set forth in the National Law Center for Children and Families Study and incorporates each study as if fully set forth herein.

The City Council takes particular note of the findings and public hearing process of Gwinnett County, Georgia in that the City of Suwanee is located in said County and exhibits similar demographics. Specifically, the City Council adopts and incorporates by reference the proceedings and testimony of the public hearing on July 17, 2001 before the Gwinnett County Board of Commissioners.

The City also recognizes the right of speech grounded in the Georgia and U. S. Constitution and the manifestation of such through adult/sexually oriented businesses and the products and services they render. The City does not seek to prohibit this protected form of speech. In seeking to protect this right the City finds the regulations set forth herein are the least restrictive means available in balancing this right while furthering the substantial governmental interests set forth above in curtailing the harmful secondary effects of this speech.

application guide

Alcohol License

20. Book, Magazine and Stationary Stores.
21. Building Material or Garden Store Sales.
22. Car Wash Facilities.
23. Carpet and Rug Stores.
24. Commercial Blood Plasma Centers.
25. Commercial Laundry and Dry Cleaning Pick-up Stations.
26. Community Clubs or Associations, Private, Public or Non-profit.
27. Consumer Repair Services.
28. Continuing Education Facilities.
29. Convenience Stores, with or without gasoline pumps: provided that gasoline service pump islands, if provided, are:
 - a. Located at least 15 feet from an abutting Public Street.
 - b. Located not less than the existing building setback of any Dwelling Unit abutting the lot on either the frontage or side street.
30. Convention Centers.
31. Cultural Facilities.
32. Dance Studios.
33. Day Care Centers.
34. Dental Clinics or Laboratories.
35. Department Stores.
36. Dog Grooming Shops.
37. Eating or Drinking Establishments, with or without Drive-thru Service.
38. Electronic sales and service establishments.
39. Emergency Care Facilities.
40. Emissions Testing Facilities.
41. Employment Agencies.
42. Financial Services/Institutions.
43. Floor Covering Stores.
44. Florists.
45. Food Catering Establishments.
46. Food Preparation Facilities, Retail.
47. Food Stores, with or without the retail sale of beer and wine.
48. Funeral Homes.
49. Furniture Rental and Sales Establishments.
50. General Building Contractors Offices.
51. Hardware Stores.
52. Health Clubs.
53. Hobby Shops.
54. Hotels and Motels, provided:

- a. Each hotel/motel shall be accessed through a main or central lobby with a lobby at least 1,000 square feet.
 - b. Each guest room shall be accessed through an interior hallway and shall not have access to the exterior of the building (except through the central lobby).
 - c. Each hotel/motel site shall be a minimum of two acres.
 - d. Each hotel/motel must provide staff or management on duty twenty-four (24) hours a day.
 - e. Each guest room shall have a minimum of three hundred (300) square feet.
 - f. Each hotel/motel building shall have a minimum roof pitch of four (4) in twelve (12).
 - g. Each hotel/motel shall provide an enclosed heated and air conditioned laundry space with a minimum of three washers and three dryers exclusively available for guest use.
 - h. Outside storage of commercial equipment is prohibited.
 - i. Each hotel/motel shall provide a fitness or recreational center with a minimum of 400 square feet which is available to guests.
 - j. Each hotel/motel must provide a single, enclosed meeting or conference space on the premises of 1,000 square feet or greater or a business center.
 - k. No business license shall be issue for any business operating from any guest room in the facility.
- 55. Jewelry Stores.
 - 56. Locksmiths.
 - 57. Mail Services.
 - 58. Medical Clinics or Laboratories.
 - 59. Monument Retail Sales.
 - 60. Movie Theaters, Indoor.
 - 61. Music Stores.
 - 62. Musical Instrument Sales and Repair Stores.
 - 63. Office Supply Stores.
 - 64. Offices, Administrative, Business or Professional.
 - 65. Orthopedic and Medical Appliance and Supply Stores.
 - 66. Package Stores, provided:
 - a. The lot shall have Road Frontage on a Major Street or State Highway.
 - b. The lot shall have a minimum amount of Road Frontage of 200 feet on a Major Street or State Highway.
 - c. The lot shall be at least one acre in size.
 - d. Distilled liquor shall be sold only in buildings constructed for and devoted to that purpose exclusively.
 - e. Any building in which distilled liquor is sold shall not be more than one story in height and shall have a minimum of 5,000 square feet of space.
 - f. The building shall have only one entrance and one exit, both of which shall be located on the front of the building. No doors or windows shall be located on the sides or rear of the building.
 - g. The front wall of the building shall have a minimum of 150 square feet of plate glass in addition to any glass on entrance or exit doors.
 - 67. Paint and Wallpaper Stores.
 - 68. Parking Lots and Garages, Offstreet, less than 750 parking spaces.

application guide

Alcohol License

69. Performance Theaters, Indoor.
70. Personal Care Homes.
71. Pet Shops, including boarding in an enclosed building.
72. Pharmacies.
73. Photocopying/Reproduction Services.
74. Photographic Studios or Supplies.
75. Picture Framing Shops.
76. Plant Nursery and Commercial Greenhouses.
77. Plumbing, electrical, pool and home building supply showrooms and sales centers.
78. Printing and Publishing Establishments.
79. Public Buildings and Uses.
80. Public Utility Facilities.
81. Quick Vehicle Servicing Facilities.
82. Radio and Television Studios.
83. Reception Halls and Community Meeting Facilities.
84. Recreation Facilities, Indoor.
85. Recreation Facilities, Outdoor.
86. Religious Institutions.
87. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
88. Schools, Public or Private.
89. Sporting Goods Stores.
90. Tailor Shops.
91. Toy Stores.
92. Veterinary Clinics with or without outdoor boarding.
93. Video Rental Establishments, not including adult entertainment.
94. Wholesale Sales Facilities.

B. PERMITTED SPECIAL USES.

Within the C-3 Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Community Development and Planning Commission and after a public hearing:

1. Agricultural Sales and Services.
2. Building Height Increase.
3. Bus Terminals.

4. Executive Quarters Suites.
5. General Building Contractors Office. With Outdoor Storage.
6. Manufactured Home Sales, provided:
 - a. All-weather surfaces are provided to avoid the health hazard of dust and standing water.
 - b. All vehicles on the premises are kept in operating condition at all times.
7. Movie Theaters, Outdoor, provided:
 - a. Acceleration and deceleration lanes at least 200 feet in length are provided.
8. Outdoor Storage.
9. Parking Lots and Garages, Off-street, exceeding 750 parking spaces.
10. Pawn Shops.
11. Stand-alone ATMs.
12. Tattoo Establishments.
13. Taxi Cab and Limousine Service Facilities.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. 1 acre.
2. Minimum Lot Width.
 - a. 200 feet.
3. Minimum Road Frontage.
 - a. 40 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 50 feet.
5. Minimum Side Yard.
 - a. 10 feet unless abutting a Residential Zoning District.
6. Minimum Rear Yard.
 - a. 15 feet unless abutting a Residential Zoning District.
7. Maximum Height.
 - a. 35 feet.
8. Minimum Buffer Area.
 - a. 50 feet if abutting a residential Zoning District in accordance with standards set forth in this Ordinance.
9. Minimum Separation Between Buildings on Same Lot.
 - a. 20 feet.

ZONING ORDINANCE - SECTION 512.1

SEC. 512.1 - Old Town Commercial District (OTCD)

The Old Town Commercial District Zoning District provides a location for convenience goods and services for people in nearby neighborhoods. The OTCD Zoning District may only be used within the designated Old Town Overlay District. This section must be read in its entirety to fully understand where specific land uses are permitted within this zoning district. Some permitted uses require approval as a special use when certain thresholds are reached.

A. Except where the size or scale of a proposed use falls within the large project category requiring a special use permit, the following uses are permitted:

Within the Old Town Commercial District the following uses are permitted:

1. Retail, financial or personal business or service providing convenience goods and services to nearby residential areas. EXCEPT Fast Food Restaurants, the sale of malt beverages, wine, or liquor, Fortune Tellers, Psychics, Massage Parlors, Junk Yards or Auto Wrecking Establishments.
2. Manufacturing in connection with a retail store or shop, provided:
 - a. Such manufacturing is incidental and accessory to the retail use and all goods manufactured are sold on the premises.
3. Accessory Buildings, Structures and Uses in accordance with the provisions set forth in Section 604 of this Ordinance.
4. Antique Shops.
5. Apparel Shops.
6. Art and school supply stores.
7. Art and Craft Studios.
8. Bakeries.
9. Barber Shops.
10. Bars, Nightclubs, Lounges, Taverns and Restaurants serving alcoholic beverages for consumption on premises.
11. Beauty Shops.
12. Bed and Breakfast Inns.
13. Bicycle Sales, Rental and Repair Shops.
14. Book, Magazine and Stationary Stores.
15. Commercial Laundry and Dry Cleaning Pick-up Station, provided:
 - a. No drive-thru service is permitted.
16. Community Clubs or Associations, Private, Public or Non-Profit.
17. Consumer Repair Services.
18. Cultural Facilities.
19. Dance Studios.
20. Day Care Centers.
21. Dental Clinics or Laboratories.
22. Dog Grooming Shops.
23. Eating or Drinking Establishments, without Drive-thru Service.
24. Electronic sales and service establishments.

25. Financial Services/Institutions.
26. Florists.
27. Food Catering Establishments.
28. Food Preparation Facilities, Retail.
29. Food Stores, with or without the retail sale of beer and wine.
30. Funeral Homes.
31. Furniture Rental and Sales Establishments.
32. Hardware Stores.
33. Health Clubs.
34. Hobby Shops.
35. Jewelry Stores.
36. Locksmiths.
37. Mail Services.
38. Medical Clinics or Laboratories.
39. Movie Theaters, Indoor.
40. Music Stores.
41. Musical Instrument Sales and Repair Stores.
42. Office Supply Stores.
43. Offices, Administrative, Business or Professional.
44. Orthopedic and Medical Appliance and Supply Stores.
45. Performance Theaters, Indoor.
46. Personal Care Homes.
47. Pet Shops, excluding Boarding.
48. Pharmacies.
49. Photocopying/Reproduction Services.
50. Photographic Studios or Supplies.
51. Picture Framing Shops.
52. Public Buildings and Uses.
53. Public or Private Parks.
54. Public Utility Facilities.
55. Reception Halls and Community Meeting Facilities.
56. Recreation Facilities, Indoor.
57. Religious Institutions.
58. Residential Uses, provided:
 - a. Residential uses shall not be on the first floor of any building.
 - b. Walls and ceilings of ground floor must comply with fire separation and resistance requirements of the Standard Building Code and the Fire Life Safety Code.
 - c. Must have a minimum of eight hundred (800) square feet of heated floor area per unit.

59. Retail Display of Goods, provided:
 - a. It shall be located between the front yard(s) of the host parcel but outside of the public right-of-way; and
 - b. It shall not interfere with pedestrian or vehicular traffic circulation; and
 - c. It shall not be located on parking spaces used to meet the minimum parking requirements.
60. Schools, Public or Private.
61. Sporting Goods Stores.
62. Tailor Shops.
63. Toy Stores.
64. Video Rental Establishments, not including adult entertainment.

B. PERMITTED SPECIAL USES.

Within the Old Town Commercial Zoning District, the following uses may be permitted provided the applicant for such a development is granted a Special Use Permit by the City Council after receiving recommendations from the Director of Planning and Community Development and Planning Commission and after a public hearing:

1. Building Height Increase.
2. Executive Quarters Suites.
3. Large Developments/Projects. Projects that are Permitted Uses within this district, but exceed the thresholds below are subject to special use permit review:
 - a. Building(s) that have a gross cumulative building size exceeding 20,000 square of enclosed heated or unheated floor area; and/or
 - b. Any project with a cumulative land disturbance exceeding 5 acres; and/or
 - c. Any development that creates a residential subdivision exceeding 7 lots.
4. Outdoor Storage.
5. Parking Lots and Garages, Offstreet
6. Stand-alone ATMs. – Automated Teller Machines which are not an accessory use to a bank or financial center.
7. Veterinary Clinics, without Outdoor Boarding.

C. DISTRICT DEVELOPMENT REGULATIONS.

1. Minimum Lot Size.
 - a. No minimum.
2. Minimum Lot Width.
 - a. 20 feet.
3. Minimum Road Frontage.
 - a. 20 feet.
4. Minimum Yard Abutting a Public Street.
 - a. 0 feet.
5. Minimum Side Yard.
 - a. 0 feet.
6. Minimum Rear Yard.
 - a. 0 feet.
7. Maximum Building Height.
 - a. 3 Stories.
8. Residential Buffers. The City Council is authorized to grant a Residential Buffer Reduction down to 0 feet, upon review of the potential impacts to neighboring properties and after holding a public hearing thereon. The City Council shall consider the existing and future use of said adjoining property and proposed use and design of the subject property.

STATE FORM ATT-14 - Certificate of Residence



Georgia Department of Revenue
Alcohol and Tobacco Division
Telephone: (404) 417-4900
E-mail: ATDIV@dor.ga.gov

CERTIFICATE OF RESIDENCE FOR RETAIL LICENSE APPLICANTS ONLY

Submit online at <https://gtc.dor.ga.gov>

STATE OF GEORGIA, _____ COUNTY:

I, _____, Judge of the Probate Court for

_____ County, Georgia, hereby certify that

_____ is now, and has been a bona fide resident of the

State of Georgia for one year and the County of _____

for one year immediately preceding the date of this affidavit, based upon the affidavit of applicant,

and the evidence submitted therewith.

I further certify that _____ is a resident of
a municipality or a county wherein the sale of distilled spirits is authorized.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Probate
Court, this ____ day of _____, 20 _____ .

JUDGE OF THE PROBATE COURT

(AFFIX SEAL)

COUNTY, GEORGIA

application guide Alcohol License

STATE FORM ATT-17 - Personnel Statement (page 1)

ATT-17 (Rev. 1/13)

Georgia Department of Revenue
Alcohol and Tobacco Division
Telephone: (404) 417-4900
E-mail: ATDIV@dor.ga.gov

GEORGIA ALCOHOL & TOBACCO PERSONNEL STATEMENT

Submit online at <https://gtc.dor.ga.gov>

(Please type or print)

This form must be completed by the following persons and submitted with all liquor license applications: (1) licensee, (2) anyone with an ownership interest in the business, whether direct, indirect or beneficial, and (3) in the case of a corporation or other legal entity, all officers. This form may be required of others in the discretion of the Commissioner as provided under Regulations 560-2-2-.02 and 560-2-17-.04. **EACH QUESTION MUST BE FULLY ANSWERED.** If additional space is required, attach an additional sheet of paper.

1.	LAST NAME	FIRST NAME	MI	SOCIAL SECURITY NO.
2.	DATE OF BIRTH	RACE	[] MALE	[] FEMALE
3.	HOME ADDRESS (Actual Physical Location of Residence; Do Not Use P.O. Box)			
	CITY	STATE	ZIP +4	HOME PHONE
4.	ADDRESS FOR DAY CONTACT - NUMBER AND STREET (Do Not Use P.O. Box)			
	CITY	STATE	ZIP +4	PHONE FOR DAY CONTACT
5.	ARE YOU MARRIED? [] YES [] NO IF "YES", PROVIDE THE FOLLOWING FOR YOUR SPOUSE:			
	LAST NAME	FIRST NAME	MI	SOCIAL SECURITY NO.
6.	ARE YOU A RESIDENT OF GEORGIA? [] YES [] NO IF "YES", HOW LONG ____ YEARS ____ MONTHS			
7.	HAVE YOU EVER BEEN ARRESTED, INDICTED OR CONVICTED FOR ANY OFFENSE BY ANY LOCAL, STATE, FEDERAL, OR FOREIGN GOVERNMENTAL AUTHORITY? [] YES [] NO. IF "YES", GIVE FULL DETAILS. DO NOT INCLUDE MINOR TRAFFIC VIOLATIONS. GIVE REASONS CHARGED OR HELD, DATE, PLACE WHERE CHARGED AND DISPOSITION. FAILURE TO MAKE FULL DISCLOSURE IN RESPONSE TO THIS QUESTION MAY RESULT IN DENIAL OR SUBSEQUENT REVOCATION OF THE LICENSE.			

8.	DO YOU CURRENTLY HAVE BENEFICIAL INTEREST IN ANY OTHER ALCOHOLIC BEVERAGE BUSINESS OTHER THAN THE BUSINESS FOR WHICH THIS APPLICATION IS BEING FILED? [] YES [] NO			
	("Beneficial Interest" as used here means: when a person holds the license in his own name or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest, or derives economic benefit from, or has control over a business.)			
	IF "YES", COMPLETE THE FOLLOWING:			
	ALCOHOL LICENSE NO.	% AND TYPE INTEREST		
	LEGAL BUSINESS NAME			
	TRADE NAME /DBA NAME			

STATE FORM ATT-17 - Personnel Statement (page 2)

9. HAVE YOU EVER HAD ANY BENEFICIAL INTEREST IN ANY OTHER ALCOHOLIC BEVERAGE BUSINESS IN THIS OR ANY OTHER STATE IN WHICH THE ALCOHOL LICENSE WAS DENIED OR REVOKED OR ANY OTHER DISCIPLINARY ACTION WAS TAKEN? [] YES [] NO
 ("Beneficial Interest" as used here means: when a person holds the license in his own name or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest, or derives economic benefit from, or has control over a business.)
 IF "YES", COMPLETE THE FOLLOWING:

ALCOHOL LICENSE NO.	% AND TYPE INTEREST		
LEGAL BUSINESS NAME			
TRADE NAME /DBA NAME			
NUMBER AND STREET			
CITY	COUNTY	STATE	ZIP+4
DESCRIBE WHAT ACTION WAS TAKEN:			

10. LIST THE FULL LEGAL NAMES AND CURRENT ADDRESSES OF ALL LIVING FAMILY MEMBERS DESIGNATED BELOW:

FAMILY MEMBERS	STREET	CITY	STATE	ZIP
<u>FATHER:</u>				
<u>MOTHER:</u>				
<u>FATHER-IN-LAW:</u>				
<u>MOTHER-IN-LAW:</u>				
<u>BROTHERS:</u>				
<u>SISTERS:</u>				

11. WORK HISTORY
 (Complete for the last 10 years, starting with present or last employer and using additional sheets if necessary.)

EMPLOYER	EMPLOYER ADDRESS (City & State)	JOB TITLE	TYPE OF BUSINESS	DATES WORKED (Month & Year)	
				From	To

application guide

Alcohol License

STATE FORM ATT-17 - Personnel Statement (page 3)

SIGNATURE SECTION

BEFORE SIGNING THIS STATEMENT, CHECK ALL ANSWERS AND EXPLANATIONS TO SEE THAT YOU HAVE ANSWERED ALL QUESTIONS FULLY, COMPLETELY AND CORRECTLY. THIS STATEMENT IS TO BE EXECUTED UNDER OATH AND SUBJECT TO THE PENALTIES OF FALSE SWEARING, AND IT INCLUDES ALL ATTACHED SHEETS HEREWITH. STAMPED SIGNATURE IS NOT ACCEPTABLE.

I, _____, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENT AND ANSWERS MADE BY ME IN THE FOREGOING PERSONNEL STATEMENT ARE TRUE AND CORRECT. I FURTHER HEREBY AUTHORIZE THE GEORGIA DEPARTMENT OF REVENUE, ALCOHOL & TOBACCO DIVISION TO OBTAIN ANY CRIMINAL HISTORY RECORD INFORMATION PERTAINING TO ME WHICH MAY BE IN THE FILES OF ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY IN GEORGIA.

Signature

I HEREBY CERTIFY THAT _____ SIGNED HIS/HER NAME TO THE FOREGOING STATEMENT AFTER STATING TO ME UNDER OATH ADMINISTERED BY ME, THAT ALL STATEMENTS AND ANSWERS ARE TRUE AND CORRECT.

THIS _____ DAY OF _____, _____.

Notary Public

AFFIX SEAL

STATE FORM CRF-002 - State Tax Registration Application

Form CRF-002 (Rev. 2/13)

GEORGIA DEPARTMENT OF REVENUE
REGISTRATION & LICENSING UNIT
P. O. BOX 49512
ATLANTA, GEORGIA 30359-1512
NEED HELP? CALL 1 (877) 423-6711
E-MAIL: ST-License@dor.ga.gov
TSD-withholding-lic@dor.ga.gov



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Page 1

Georgia Department of Revenue State Tax Registration Application

Section 1 Reason for Submitting this Form

Refer to the instructions and check the applicable box(es) to indicate the reason(s) for this registration.

- | | |
|---|--|
| <p>1. <input type="checkbox"/> New Registration</p> <p>2. <input type="checkbox"/> Additional Registration</p> <p>3. <input type="checkbox"/> Application for a Master Number</p> <p>4. <input type="checkbox"/> Information Update</p> <p>5. <input type="checkbox"/> Additional Location
<i>(Use only for Master Sales Tax Account)</i></p> | <p>6. Did your business:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Acquire all or part of another business?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Result from a change in legal structure (for example, from individual proprietor to corporation, partnership to corporation, corporation to limited liability company, etc...)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No Undergo a merger, consolidation, dissolution, or other restructuring?</p> <p>7. Provide prior business' state tax identification number if you answered yes to any of the above choices:</p> |
|---|--|

8. Check the applicable box(es) to indicate the types of tax(es) and service(s) requested for this registration. Those types with asterisks (**) require an additional application.
- | | | | | |
|--|--|---|---|---|
| <input type="checkbox"/> Sales and Use | <input type="checkbox"/> Alcohol License** | <input type="checkbox"/> Lottery Retailer** | <input type="checkbox"/> Limousine Alcohol License ** | <input type="checkbox"/> Motor Fuel License** |
| <input type="checkbox"/> Withholding Tax | <input type="checkbox"/> Tobacco License** | <input type="checkbox"/> 911 Prepaid Wireless | <input type="checkbox"/> Non-Resident Distribution | <input type="checkbox"/> Motor Carrier/IFTA |
| | | | <input type="checkbox"/> Amusement License** | <input type="checkbox"/> Contractor |

Section 2 Entity Type (check the appropriate box)

- | | | | | |
|---|---|--|--|---|
| <input type="checkbox"/> Sole Proprietorship (Individual) | <input type="checkbox"/> Partnership | <input type="checkbox"/> Sub-S Corporation | <input type="checkbox"/> Corporation - State of Incorporation: _____ Incorporation Date: _____ | |
| <input type="checkbox"/> Professional Association | <input type="checkbox"/> Estate | <input type="checkbox"/> Fiduciary | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Single Member <input type="checkbox"/> Multiple Member |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Federal Agency | <input type="checkbox"/> State Agency | <input type="checkbox"/> County Government | <input type="checkbox"/> Municipal Government |

Section 3 Business Information

- | | | | | | |
|--|---------------------|---------------------------|---|-------------------------------------|--------------|
| 1. Business Legal Name (enter owner's name if sole proprietor) | | Business Trade Name (DBA) | | Federal Employer Information Number | |
| Business Street Address (DO NOT USE P.O. BOX) | | City | County | State | Zip Code + 4 |
| Business Telephone Number | Business Fax Number | Business Email | | | |
| 2. Date of First Operation (mm/dd/yyyy): _____ | | | 3. List months of operation if business is seasonal (mm-mm): _____ | | |
| 4. List Business's Fiscal Year End: _____ | | | 5. Identify Accounting Method: <input type="checkbox"/> Accrual <input type="checkbox"/> Cash | | |

Section 4 Business Mailing Address (if different from Section 3 above)

If you want to have GADOR notices and other correspondence for a specific tax type mailed to an address other than the above business street address, please complete the following information. Use Form CRF-003 to list additional addresses.

- | | | | | | | |
|--|--------------------------------------|------------------------------------|----------------------------------|----------------------------------|---|---|
| 1. Business Mailing Address | City | County | State | Zip Code + 4 | | |
| 2. Use this mailing address for the following tax type(s): | | | | | | |
| <input type="checkbox"/> Sales and Use | <input type="checkbox"/> Withholding | <input type="checkbox"/> Amusement | <input type="checkbox"/> Alcohol | <input type="checkbox"/> Tobacco | <input type="checkbox"/> Motor Fuel Distributor | <input type="checkbox"/> 911 Prepaid Wireless |
| 1. Business Mailing Address | City | County | State | Zip Code + 4 | | |
| 2. Use this mailing address for the following tax type(s): | | | | | | |
| <input type="checkbox"/> Sales and Use | <input type="checkbox"/> Withholding | <input type="checkbox"/> Amusement | <input type="checkbox"/> Alcohol | <input type="checkbox"/> Tobacco | <input type="checkbox"/> Motor Fuel Distributor | <input type="checkbox"/> 911 Prepaid Wireless |

Section 5 Business Ownership/Relationship

- | | | | | | |
|---|-------------------------------------|---|----------------------------------|--------------------------------|-----------------------|
| 1. Name | | Social Security Number / Taxpayer Identification Number | | | |
| Mailing Address | City | County | State | Zip Code + 4 | |
| Check one: | | | | | |
| <input type="checkbox"/> Owner | <input type="checkbox"/> LLC Member | <input type="checkbox"/> Partner | <input type="checkbox"/> Officer | <input type="checkbox"/> Other | Effective Date: _____ |
| Check any/all if applicable: | | | | | |
| <input type="checkbox"/> Alcohol Licensee | Effective Date: _____ | <input type="checkbox"/> Tobacco Licensee | Effective Date: _____ | | |

application guide Alcohol License

STATE FORM CRF-002 - State Tax Registration Application

Form CRF-002 (Rev. 2/13)



1303904022

Page 2

Section 5 Business Ownership/Relationship (continued)

1. Name		Social Security Number / Taxpayer Identification Number			
Mailing Address		City	County	State	Zip Code + 4
Check one:					
<input type="checkbox"/> Owner	<input type="checkbox"/> LLC Member	<input type="checkbox"/> Partner	<input type="checkbox"/> Officer	<input type="checkbox"/> Other	Effective Date: _____
Check any/all if applicable:					
<input type="checkbox"/> Alcohol Licensee	Effective Date: _____	<input type="checkbox"/> Tobacco Licensee	Effective Date: _____		

Section 6 Business Activity Information

1. Check business activity type. If you check two or more boxes, list approximate percentages of receipts.					2. Will you be selling motor fuel or gasoline? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Retail _____%	<input type="checkbox"/> Manufacturing _____%	<input type="checkbox"/> Wholesale _____%	<input type="checkbox"/> Construction _____%	<input type="checkbox"/> Service _____%	
3. Are you a common carrier? <input type="checkbox"/> Yes <input type="checkbox"/> No					
4. Please describe products to be sold and/or taxable services to be provided:				5. Enter business' NAICS code number if known:	

Section 7 Employer Withholding Information

1. Will your business have employees? <input type="checkbox"/> Yes <input type="checkbox"/> No If you answered Yes, please complete lines 2 through 5.	
2. Who will be responsible for filing and remitting payroll taxes for your employees? <input type="checkbox"/> Your Business <input type="checkbox"/> Payroll Service <input type="checkbox"/> Other:	
3. If you checked payroll service or other in question 2 above, enter the name and withholding tax number of the entity reporting and paying these taxes: Name: _____ Withholding Tax Account Number: _____	
4. Do you expect to withhold more than \$200 per month? <input type="checkbox"/> Yes <input type="checkbox"/> No	
5. What is the first date on which wages will be paid to employees?	

Section 8 Authorized Signature/Contact Information

Under penalties of perjury, I declare that I have examined this State Tax Registration Application and to the best of my knowledge and belief, it is true, correct and complete. I understand that to willfully prepare or present a document that is fraudulent or false is a criminal misdemeanor under O.C.G.A. § 48-1-6.

Authorized Signature	Title	Date (mm/dd/yyyy)
Print Name	Daytime Telephone Number	Title
Print Third Party Preparer's Name (if any)	Daytime Telephone Number	Title

STATE FORM CRF-002 - State Tax Registration Application

Form CRF-002 (Rev. 2/13)



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Page 3

Responsible Party Information

Step 1 Read this information first

- Under section 48-2-52 of the Official Code of Georgia Annotated, a:
 - corporation officer or employee,
 - limited liability company member, manager or employee, or
 - limited liability partnership, partner or employee
 may be held **personally liable** for unpaid sales tax, withholding tax, and 911 charges on prepaid wireless services assessed against such corporation, limited liability company, or limited liability partnership.
- The responsible party information should be completed for each of the persons described above who is under a duty to collect, account for and pay any of the above-described taxes or amounts to the Department of Revenue.
- The responsible party information should also be used to notify the Department of Revenue when there is a change in responsible persons. Attach additional pages if needed.

Step 2 Identify the business registered or to be registered for any of the tax types or charges listed in Step 1

Business Name		Business Address		Federal Employer Identification Number	
Name of person completing this form		Title	Daytime Telephone Number	Date	

Step 3 Identify the person(s) responsible for filing your business' returns and/or paying all tax or charges due

First Name	Middle Initial	Last Name	Job Title	Social Security Number
Mailing Address (number, street, and room or suite no.)			City	State ZIP code
Email Address	Phone Number	Enter dates when responsibility begins and ends (if applicable): From: To:		

Check all for which person is responsible:

- Sales and Use Tax
 Withholding Tax
 911 Charges on Prepaid Wireless Services

Complete the following if you need to identify another person

First Name	Middle Initial	Last Name	Job Title	Social Security Number
Mailing Address (number, street, and room or suite no.)			City	State ZIP code
Email Address	Phone Number	Enter dates when responsibility begins and ends (if applicable): From: To:		

Check all for which person is responsible:

- Sales and Use Tax
 Withholding Tax
 911 Charges on Prepaid Wireless Services

Complete the following if you need to identify another person

First Name	Middle Initial	Last Name	Job Title	Social Security Number
Mailing Address (number, street, and room or suite no.)			City	State ZIP code
Email Address	Phone Number	Enter dates when responsibility begins and ends (if applicable): From: To:		

Check all for which person is responsible:

- Sales and Use Tax
 Withholding Tax
 911 Charges on Prepaid Wireless Services

application guide Alcohol License

STATE FORM CRF-009 - State Alcohol License Application



GEORGIA DEPARTMENT OF REVENUE
ALCOHOL & TOBACCO DIVISION
P.O. BOX 49728
Atlanta, GA 30359
Phone: 1 (877) 423-6711
Fax: (404) 417-4901 OR (404) 417-4318

STATE ALCOHOL LICENSE APPLICATION

(RETAIL OR COMSUMPTION ON PREMISES FOR LIQUOR, BEER AND/OR WINE)

(PLEASE PRINT OR TYPE)

FOR OFFICE USE ONLY		IDENTIFICATION SECTION				
		1	LICENSE YEAR FOR WHICH APPLICATION IS MADE:			
		2	IF YOU HAVE A STATE TAXPAYER IDENTIFIER (STI), ENTER HERE:			
		3	LEGAL BUSINESS NAME:			
		4	LOCATION ADDRESS:	SUITE	PHONE NUMBER	
		5	CITY	STATE	ZIP CODE	
			NAME OF LICENSEE:	SOCIAL SECURITY NUMBER:		
		6	IS LICENSEE A CORPORATION? <input type="checkbox"/> YES <input type="checkbox"/> NO If "Yes", name and address of Registered Agent			
			ALCOHOL INFORMATION SECTION			
		7	Mailing Address (if different from the Location Address):			
			CITY:	STATE:	ZIP :	
<input type="checkbox"/>		8	TYPE OF LICENSE (Check only one major category that applies)			
			<input type="checkbox"/> RETAIL PACKAGE (Check all that apply) <input type="checkbox"/> CONSUMPTION ON PREMISE (Pouring) Check all that apply			
			<input type="checkbox"/> Beer - Fee \$50.00	<input type="checkbox"/> Beer - Fee \$50.00		
			<input type="checkbox"/> Wine - Fee \$50.00	<input type="checkbox"/> Wine - Fee \$50.00		
			<input type="checkbox"/> Liquor - Fee \$100.00 + Investigation Fee \$100.00	<input type="checkbox"/> Liquor - Fee \$100.00 + Investigation Fee \$100.00		
			<input type="checkbox"/> HOTEL IN-ROOM SERVICE (Check only one)			
			<input type="checkbox"/> Beer - Fee \$50.00			
			<input type="checkbox"/> Wine - Fee \$50.00			
			<input type="checkbox"/> Beer and Wine - Fee \$100.00			
			<input type="checkbox"/> Liquor - Fee \$100.00 + Investigation Fee \$100.00			
			<input type="checkbox"/> Beer and Liquor - Fee \$100.00 + Investigation Fee \$100.00			
			<input type="checkbox"/> Wine and Liquor - Fee \$100.00 + Investigation Fee \$100.00			
			<input type="checkbox"/> Beer, Wine and Liquor - Fee \$100.00 + Investigation Fee \$100.00			
		9	TYPE OF BUSINESS (Check One)			
			<input type="checkbox"/> Hotel In-Room Service	<input type="checkbox"/> Club	<input type="checkbox"/> Tavern or Lounge	<input type="checkbox"/> Convenience Store
			<input type="checkbox"/> Package Store	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Grocery	<input type="checkbox"/> Service Station
			<input type="checkbox"/> Other _____			
		10	LOCAL LICENSE ISSUED BY: (Check Only One)			
			<input type="checkbox"/> City of _____			
			<input type="checkbox"/> County of _____			

STATE FORM CRF-009 - State Alcohol License Application

(RETAIL OR CONSUMPTION ON PREMISES FOR LIQUOR, BEER AND/OR WINE)

FOR OFFICE USE ONLY	11	TO YOUR KNOWLEDGE, HAS A STATE ALCOHOL LICENSE BEEN ISSUED AT THIS LOCATION WITHIN THE LAST THREE (3) YEARS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES", COMPLETE AS MUCH OF THE FOLLOWING AS POSSIBLE FOR THE LAST LICENSE KNOWN NAME OF LICENSEE:
		LEGAL BUSINESS NAME:
		TRADE NAME/DBA NAME
		ALCOHOL LICENSE NO. & YEAR: _____ DATE DISCONTINUED: / /
	12	TOTAL FUNDS TO BE INVESTED BY ALL PARTIES: \$
		AMOUNT OF FUNDS INVESTED BY LICENSEE: PERSONAL \$ _____ BORROWED \$ _____
		AMOUNT OF FUNDS INVESTED BY OTHERS: _____ PERSONAL \$ _____ BORROWED \$ _____
	13	IS THIS APPLICATION FOR HOTEL IN-ROOM SERVICE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES", LIST THE CORRESPONDING ALCOHOL LICENSE ISSUED TO OR APPLIED FOR AT THIS LOCATION.
		NAME OF LICENSEE:
		LEGAL BUSINESS NAME:
	TRADE NAME/DBA NAME:	
	ALCOHOL LICENSE NO:	
14	DO YOU COMPLY WITH THE DISTANCE REQUIREMENTS OF O.C.G.A. 3-3-21, O.C.G.A. 3-4-49 AND REGULATION 560-2-2-.12 BELOW? <input type="checkbox"/> YES <input type="checkbox"/> NO No person may knowingly and intentionally sell or offer to sell: A. Any retail package liquor within 600 feet of any school ground. B. Any retail package malt beverages or wine within 300 feet of any school ground. C. Any retail package liquor within 300 feet of any church building. D. Any liquor, malt beverages and/or wine within 300 feet of any government owned and operated alcohol treatment center. E. Any new retail package liquor within 500 yards of an existing licensed retail package liquor location.	
15	DO YOU COMPLY WITH THE REQUIREMENTS OF REGULATION 560-2-2-.10 BELOW? <input type="checkbox"/> YES <input type="checkbox"/> NO Neither a retail dealer or retail consumption dealer, whether licensed in this State or not, nor any of his employees or members of such retail dealer's or retail consumption dealer's immediate family shall have, own or enjoy any ownership interest in, or partnership arrangement or other business association with the business of any wholesaler, manufacturer, producer, shipper, importer or broker.	
16	IS THIS APPLICATION FOR RETAIL PACKAGE LIQUOR? <input type="checkbox"/> YES <input type="checkbox"/> NO IF "YES", DO YOU COMPLY WITH THE REQUIREMENTS OF O.C.G.A. 3-4-21 AND REGULATION 560-2-2-.10, AS SHOWN BELOW, REGARDING THE LIMIT OF TWO (2) LICENSES PER PERSON? <input type="checkbox"/> YES <input type="checkbox"/> NO No person shall be issued more than two retail package liquor licenses, nor shall any person be permitted to have a beneficial interest in more than two retail package liquor licenses issued by the Department regardless of the degree of such interest. For the purposes of explanation and applicability of the Code: "Beneficial interest" as used here means: when a person holds the retail package liquor license in his own name, or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest in, or derives any economic benefit from, or has control over a retail package liquor business. The term "person" shall include all members of a retail package liquor dealer licensee's family; and the term "family" shall include any person related to the holder of the license within the first degree of consanguinity and affinity as computed according to the canon law which includes the following: spouse, parents, step-parents, parents-in-law, brothers and sisters, step-brothers and step-sisters, brothers-in-law and sisters-in-law, children, step-children and children-in-law.	
SIGNATURE SECTION		
I DECLARE UNDER PENALTY OF PERJURY, THAT THIS APPLICATION HAS BEEN EXAMINED BY ME, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS TRUE, CORRECT, AND COMPLETE.		
_____ Signature	_____ Title	_____ Date
(THIS APPLICATION MUST BE SIGNED BY THE ALCOHOL LICENSEE. IF THE LICENSEE IS A CORPORATION, AN ACTIVE OFFICER OR MANAGING MEMBER MAY SIGN THE APPLICATION. A STAMPED SIGNATURE IS NOT ACCEPTABLE.)		

application guide

Alcohol License

STATE FORM CRF-009 - State Alcohol License Application

Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States"

O.C.G.A. 50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions:

The applicant is a United States citizen or legal permanent resident at least eighteen (18) years old.

Yes _____ No _____

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. The applicant's alien number issued by the Department of Homeland Security or other federal immigration agency must be provided.

Yes _____ No _____ Alien Number _____

O.C.G.A 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

Signature

Title

Date

(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation. STAMPED SIGNATURE IS NOT ACCEPTABLE)

I hereby certify that _____ is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

This _____ day of _____, _____.

Notary Public

AFFIX SEAL

You must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2. Such documents include a valid Georgia issued Driver's License or ID Card, a valid Driver's License issued by another State or an identification document issued by the United States Government.

BLANK FORMS

LICENSE APPLICATION
SURVEYOR AFFIDAVIT
EXCISE TAX REPORT FORM
ADVERTISEMENT FORM

*The following forms are perforated and printed only so that you may tear them out and use them.
If there is more than one applicant, please make the appropriate number of copies before filling out the forms.
More forms are available at the City of Suwanee. Please see "Contact Information" on page 7 for more details.*

application for Alcoholic Beverage License



SECTION I - GENERAL ADMINISTRATION

1. **Type of Application:** (Check One)

 NEW

 AMENDED

2. **License Information:**

A. TYPE OF LICENSE: (Check One)

 Retail Package (off premises consumption)

 Retail Consumption on Premises

 Art Shop

B. TYPE OF SALES (Check One)

	Quarterly Fees		Number of Quarters		License Fee Due
<input type="checkbox"/> Beer only	\$ 125.00	x		=	
<input type="checkbox"/> Wine only	\$ 125.00	x		=	
<input type="checkbox"/> Beer and Wine	\$ 250.00	x		=	
<input type="checkbox"/> Distilled Spirits (Liquor only)	\$1,250.00	x		=	
<input type="checkbox"/> Distilled Spirits, Beer and Wine	\$1,500.00	x		=	
<input type="checkbox"/> Art Shop	\$1,000.00	x		=	

3. **Type of Business:** (Check One)

 Bona Fide Eating Establishment

 Convenience Store

 Bona Fide Private Club

 Super Market (Grocery)

 Hotel/Motel

 Other (please explain) _____

Will live entertainment be offered? _____ If yes, explain: _____

4. **Business Information:**

Name: _____ Phone Number: _____ / _____ - _____

Location: _____
STREET NUMBER STREET NAME SUITE NUMBER

Mailing Address: _____
STREET NUMBER STREET NAME SUITE / APT

CITY

STATE

ZIP CODE

5. **Parcel Number:**

application for Alcoholic Beverage License

SECTION I - GENERAL ADMINISTRATION

6. Type of Ownership:

- Sole Owner
 Public Held Corporation
 Partnership
 Public Held Corporation subject to SEC Regulations
 Private Held Corporation
 Other (please explain) _____

A. FOR SOLE OWNERSHIP ONLY:

Full Name: _____ SSN: _____ - _____
 Mailing Address: _____
STREET NUMBER STREET NAME SUITE / APT
CITY STATE ZIP CODE

B. FOR PARTNERSHIP ONLY

Date Partnership Formed: ____ / ____ / ____ (*Attach Partnership Agreement to this Application)

List partners:

Name and Address	General, Limited, Silent	Participation Percentage

C. FOR CORPORATION ONLY

Corporation Name: _____

Mailing Address: _____
STREET NUMBER STREET NAME SUITE / APT
CITY STATE ZIP CODE

a. Date of Incorporation: ____ / ____ / ____ Place of Incorporation: _____

b. Is the Corporation owned by a parent corporation or held by a holding company Yes No

If yes, explain: _____

List officers, directors and/or principal shareholders with 20% or more of the stock

Name	Position	Interest %

application for Alcoholic Beverage License

SECTION I - GENERAL ADMINISTRATION

7. Contact Information:

Please list the contact person regarding license changes, taxes, etc.

Full Name: _____ SSN: _____ - _____ - _____

Mailing Address: _____
STREET NUMBER STREET NAME SUITE / APT

CITY STATE ZIP CODE

Business Phone Number: ____ / ____ - _____ Contact Cell Number: ____ / ____ - _____

8. General Information:

a. Does the owner and/or individual partner, shareholder, director or officer have any financial interest in any manufacturer or wholesale of alcoholic beverage? Yes No

b. Has the owner and/or individual partner, shareholder, director or officer received any financial aid or assistance from any manufacturer of alcoholic beverages? Yes No

c. If you answered yes to either of the above, please explain: _____

d. List all other businesses engaged in the sale of alcoholic beverages that you the owner, or any individual, partner, shareholder, officer or director is interested in, employed by or associated with in any way whatsoever, or have been interested in, employed by, or associated with in the past.

Name	Name of Business	Interest %

application for Alcoholic Beverage License



SECTION II - PREMISES AND STRUCTURE

1. Is this location within a commercial Zoning District (**C-2A, C-3** or **OTCD**)? Yes No
2. Does the completed building or the proposed building comply with the ordinances of Gwinnett County, regulations of the State Revenue Commissioner and the laws of the State of Georgia? Yes No
3. Lighting:
 - a. Does the building in which the business is to be located contain sufficient lighting so that the building and the premises are readily visible on all sides and at all times from the front of the street on which the building is located? Yes No
 - b. Does the interior of the building contain sufficient lighting so that all hallways, passage ways and open areas may be clearly seen by the customer? Yes No
 - c. If the answer is no to either of these questions, please explain proposed methods to rectify the insufficient lighting:

4. Attach copies of the following information as it applies to this application:
 - a. A certified scale drawing of the proposed premises by a registered land surveyor or professional engineer, showing the distance from churches and schools.
 - b. A certificate by a registered land surveyor or professional engineer, showing that the location complies with the distance requirement from churches and schools.
 - c. Evidence of ownership of the building or proposed building or a copy of the lease if applicable.
 - d. A copy of the franchise agreement or contract, if applicable.
 - e. A copy of the menu(s) if applicant is a Bona Fide Eating Establishment.
 - f. Plans:
 - i. **If Building is COMPLETE**, copies of detailed plans of said building and outside premises as well as a copy of the floor plan.
 - ii. **If Building is PROPOSED**, copies of proposed plans and specifications as well as the building permit application.

PLANNING AND ZONING USE ONLY

Action:	
Date:	
Signature:	
Comments:	

Instructions for the following four pages:

*Each page has questions regarding the type of business indicated on page 1, section 1.
Fill out the appropriate page (5A, 5B, 5C or 5D) and discard the ones that do not pertain to this business.*

application for Alcoholic Beverage License



SECTION II - PREMISES AND STRUCTURE

Bona Fide Eating Establishment or Private Club Only

1. Total floor area in square feet:
2. Total square feet devoted to dining area:
3. Seating capacity excluding bar area:
4. Maximum number of employees on highest shift:
5. Number of parking spaces:
6. Number of parking spaces devoted to handicapped persons:
7. Hours that prepared meals or foods are served:

8. Does the facility have a full service kitchen? Yes No
- a. Does the kitchen have a three compartment sink? Yes No
- b. Refrigerator approved by both the Health and Fire Departments? Yes No
- c. Stove and/or grill permanently installed and approved by Health and Fire? Yes No

If the answer to any of the above questions is no, please explain:

9. Will the establishment comply with the advertising prohibition as outlined in section 6-20 of the Gwinnett County Alcoholic Beverage Ordinance? (see excerpt below) Yes No

SECTION 6-20. - ADVERTISING; LOCATION REQUIREMENTS; SIGNS

(a) No outdoor advertising or signs with respect to the promotion of the sale of alcoholic beverages, or the prices of such beverages, shall be permitted on the exterior of any retail package outlet, on the premises of any consumption dealer, or in the windows of any such establishment that may be viewed from outside.

(b) Sign limitations. Retail package licensees shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below the containers, the price of an alcoholic beverage exposed or offered for sale. No other sign may be exposed prominently within or without the retail establishment showing prices or indicating that alcoholic beverages are for sale on the premises.

(c) Alcoholic beverages may not be priced on signs, menus or any other place allowed by this Code except as to single units or unbroken package quantities.

(Code 1978, § 7-2014; Ord. of 12-6-94, § 7-2014; Amd. of 3-17-09(1), § 5)

application for Alcoholic Beverage License

SECTION II - PREMISES AND STRUCTURE

Super Market (Grocery) / Convenience Store only

1. Total floor area in square feet: _____
2. Total square feet devoted to sale of groceries and food products: _____
3. Number of parking spaces: _____
4. Number of parking spaces devoted to handicapped persons: _____
5. Is the establishment devoted principally to the retail sale of groceries and food products? Yes No
If the answer to the above questions is no, please explain:

6. Will the establishment comply with the advertising prohibition as outlined in section 6-20 of the Gwinnett County Alcoholic Beverage Ordinance? (see excerpt below) Yes No

SECTION 6-20. - ADVERTISING; LOCATION REQUIREMENTS; SIGNS

- (a) No outdoor advertising or signs with respect to the promotion of the sale of alcoholic beverages, or the prices of such beverages, shall be permitted on the exterior of any retail package outlet, on the premises of any consumption dealer, or in the windows of any such establishment that may be viewed from outside.
- (b) Sign limitations. Retail package licensees shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below the containers, the price of an alcoholic beverage exposed or offered for sale. No other sign may be exposed prominently within or without the retail establishment showing prices or indicating that alcoholic beverages are for sale on the premises.
- (c) Alcoholic beverages may not be priced on signs, menus or any other place allowed by this Code except as to single units or unbroken package quantities.

(Code 1978, § 7-2014; Ord. of 12-6-94, § 7-2014; Amd. of 3-17-09(1), § 5)

application for Alcoholic Beverage License

SECTION II - PREMISES AND STRUCTURE

Hotel / Motel Only

1. Number of rooms available for hire to the general public: _____
2. Total square feet devoted to restaurant: _____
3. Total square feet devoted to dining area: _____
4. Seating capacity excluding bar area: _____
5. Maximum number of employees on highest shift devoted to restaurant: _____
6. Maximum number of employees on highest shift devoted to operation other than restaurant: _____
7. Number of parking spaces: _____
8. Number of parking spaces devoted to handicapped persons: _____
9. Hours that prepared meals or foods are served: _____
10. Does the facility have a full service kitchen?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

 - a. Does the kitchen have a three compartment sink?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------
 - b. Refrigerator approved by both the Health and Fire Departments?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------
 - c. Stove and/or grill permanently installed and approved by Health and Fire?

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

If the answer to any of the above questions is no, please explain:

11. Will the establishment comply with the advertising prohibition as outlined in section 6-20 of the Gwinnett County Alcoholic Beverage Ordinance? (see excerpt below)

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

SECTION 6-20. - ADVERTISING; LOCATION REQUIREMENTS; SIGNS

- (a) No outdoor advertising or signs with respect to the promotion of the sale of alcoholic beverages, or the prices of such beverages, shall be permitted on the exterior of any retail package outlet, on the premises of any consumption dealer, or in the windows of any such establishment that may be viewed from outside.
- (b) Sign limitations. Retail package licensees shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below the containers, the price of an alcoholic beverage exposed or offered for sale. No other sign may be exposed prominently within or without the retail establishment showing prices or indicating that alcoholic beverages are for sale on the premises.
- (c) Alcoholic beverages may not be priced on signs, menus or any other place allowed by this Code except as to single units or unbroken package quantities.

(Code 1978, § 7-2014; Ord. of 12-6-94, § 7-2014; Amd. of 3-17-09(1), § 5)

application for Alcoholic Beverage License

SECTION II - PREMISES AND STRUCTURE

Bona Fide Growler Only

1. Total floor area in square feet: _____
2. Number of parking spaces: _____
3. Number of parking spaces devoted to handicapped persons: _____
6. Will the establishment comply with the advertising prohibition as outlined in section 6-20 of the Gwinnett County Alcoholic Beverage Ordinance? (see excerpt below) Yes No

SECTION 6-20. - ADVERTISING; LOCATION REQUIREMENTS; SIGNS

(a) No outdoor advertising or signs with respect to the promotion of the sale of alcoholic beverages, or the prices of such beverages, shall be permitted on the exterior of any retail package outlet, on the premises of any consumption dealer, or in the windows of any such establishment that may be viewed from outside.

(b) Sign limitations. Retail package licensees shall indicate plainly by tags or labels on the bottles or containers or on the shelf immediately below the containers, the price of an alcoholic beverage exposed or offered for sale. No other sign may be exposed prominently within or without the retail establishment showing prices or indicating that alcoholic beverages are for sale on the premises.

(c) Alcoholic beverages may not be priced on signs, menus or any other place allowed by this Code except as to single units or unbroken package quantities.

(Code 1978, § 7-2014; Ord. of 12-6-94, § 7-2014; Amd. of 3-17-09(1), § 5)

application for Alcoholic Beverage License



SECTION III - STATEMENT OF PERSONAL HISTORY

Business Information

Trade Name of Business that this statement is for: _____

Location: _____

STREET NUMBER STREET NAME SUITE / APT

CITY STATE ZIP CODE

Phone: ____ / ____ - _____

Applicant Information

Name: _____

LAST FIRST MIDDLE

Location: _____

STREET NUMBER STREET NAME SUITE / APT

CITY STATE ZIP CODE

Phone: ____ / ____ - _____

SSN: ____ - ____ - ____

Sex: _____ Race: _____

Date of Birth: ____ / ____ / ____

Place of Birth: _____

Color of Hair: _____

Color of Eyes: _____

Your relationship with this business:

Sole Owner

Partner: () General () Limited () Silent

Director

Officer _____

Manager

Employee _____

Principal Stockholder

Other (please explain) _____

Percentage of ownership or interest, if any: _____

Are you a: (check one)

US Citizen

Legal Alien

Other (please explain) _____

application for Alcoholic Beverage License

SECTION III - STATEMENT OF PERSONAL HISTORY

1. State any other names which you have used (maiden names, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc.) Specify which and indicate dates.

2. List all places of residence for the past ten years (most recent first).

FROM MONTH / YEAR	TO MONTH / YEAR	ADDRESS	CITY	STATE
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

3. List employment record for the last ten years (most recent first).

FROM MONTH / YEAR	TO MONTH / YEAR	EMPLOYER NAME	OCCUPATION / DUTIES PERFORMED	SALARY	REASON FOR LEAVING
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

4. Do you have any financial interest or are you employed in any other wholesale or retail business engaged in distilling, bottling, rectifying or selling alcoholic beverages? Yes No

If yes, list names, locations and amount of interest in each:

NAME	ADDRESS	AMOUNT OF INTEREST
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

5. Have you ever had any financial interest in an alcoholic beverage business that was denied a license? Yes No

If yes, please describe: _____

application for Alcoholic Beverage License

SECTION III - STATEMENT OF PERSONAL HISTORY

6. Has any alcoholic beverage business in which you have been related to in any way (had financial interest in or been employed by, either currently or in the past) ever been cited for any violation of the rules and regulations of the state revenue commissioner relating to the sale and distribution of alcoholic beverages? Yes No

If yes, please describe: _____

7. Have you bought or sold any alcoholic beverage business in the last ten years? Yes No

If yes, please describe (date, license number, persons and considerations involved): _____

8. Have you ever had any financial interest in an alcoholic beverage business that was denied a license? Yes No

If yes, please describe: _____

9. Has any alcoholic beverage business in which you have been related to in any way (had financial interest in or been employed by, either currently or in the past) ever been cited for any violation of the rules and regulations of the state revenue commissioner relating to the sale and distribution of alcoholic beverages? Yes No

If yes, please describe: _____

10. Have you ever been arrested, or held by federal, state or other law-enforcement authorities, for any violation of federal, state, county or municipal law, regulation or ordinance? (Do NOT include traffic violations. All other charges, including DUI's, must be listed even if they were dismissed. State reason you were charged or held, date, place and disposition. If no arrest was made, state "No Arrest". After the last entry, state "No other arrests" _____

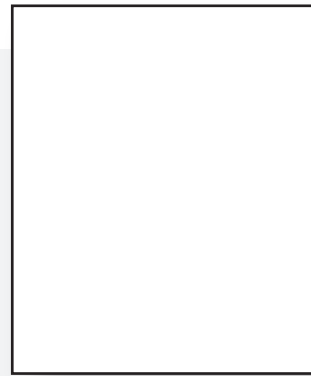
application for Alcoholic Beverage License

SECTION III - STATEMENT OF PERSONAL HISTORY

11. Have you had any license under the regulatory powers of the City of Suwanee and/or Gwinnett County denied, suspended or revoked within two (2) years prior to the filing of this application? Yes No

If yes, please describe: _____

12. Attach photograph (front view) taken within the past year.



application for Alcoholic Beverage License



SECTION IV - CERTIFICATION

NOTE:

Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly.

This statement is to be executed under oath and subject to the penalties of false swearing, and it includes all attached sheets submitted herewith.

The undersigned hereby certifies that he/she is _____ of _____
THE AUTHORIZED REPRESENTATIVE NAME OF BUSINESS
and is authorized to sign this application. The undersigned further certifies that:

The City of Suwanee Alcoholic Beverage Ordinance has been read and understood and a copy will be maintained on the premises, and each and every employee will be required to be familiar with said regulations;

All laws, rules and regulations of the United States, the State of Georgia and the City of Suwanee now enforced or which may hereafter be promulgated or enacted regulation and governing the sale of alcoholic beverages will be complied with; and

Any license issued shall cover the period of one year commencing the first day of January and expiring December 31, and that no license shall be assignable or transferable, nor shall the holder thereof be entitled to a rebate of the license fee or any portion thereof by reason of the revocation of said license, or for any other reason.

I further understand that I am liable to penalties of the law (both fine and imprisonment) should any false or fraudulent statement of representation be made in connection with this application.

I solemnly swear that the facts stated in the above and foregoing application for a license in the City of Suwanee, Georgia are true and correct.

Sworn to and subscribed before me this _____ day of _____, 20 ____

NOTARY PUBLIC

APPLICANT'S SIGNATURE

RECEIVED BY STAFF MEMBER

DATE RECEIVED

SURVEYOR'S AFFIDAVIT Alcohol Beverage License



I, _____, a Georgia registered land surveyor, # _____,
NAME
do hereby certify that I am familiar with the premises:

BUSINESS NAME AND LOCATION
and that it is in compliance with City of Suwanee Code Section 6-67 set out below.

- Beer and Wine**
No malt beverage and/or wine shall be offered for sale, sold, or dispensed within 300 feet of any church and 600 feet of any school.

- Distilled Spirits**
No distilled spirits shall be offered for sale, sold, or dispensed within 200 feet of any residence, 300 feet of any church, 600 feet of any school and 1,500 feet of any other package store located within or outside the city limits.

All measurements to determine distances required by this article shall be measured in a straight line from the main entrance of the residence, school, church or existing package store to the main entrance of the establishment applying for the sale of alcoholic beverages.

For the purpose of this section, the terms school building shall apply only to state, county, city or church school building. This includes only those structures in which instruction is offered. The term "instruction" refers to subjects commonly taught in the schools and colleges of this state.

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ DAY OF _____, 20_____

SIGNATURE AND SEAL OF SURVEYOR

NOTARY PUBLIC

_____/_____/_____
DATE

Registration number: _____

_____/_____/_____
DATE OF EXPIRATION

SEAL

My Commission Expires: _____

EXCISE TAX REPORT FORM

Mixed drinks only



Month: _____ Year: _____

Name of Business: _____

Contact Person Name: _____ Phone: _____ / _____ - _____

*Monthly excise tax reports and fees are due on the 20th of the month by 5:00 PM.
If received after the 20th, a 10% penalty and a \$25.00 late filing penalty will be added and the vendor's deduction will not be allowed.*

Excise Tax Reporting:

LINE 1: Gross Sales \$ _____ (sale of distilled spirits by the drink, excluding malt beverages)
 LINE 2: Tax Due \$ _____ (3% of line 1)
 LINE 3: Vendor's Deduction \$ _____ (3% of line 2 *allowed only if payment received by the 20th)
 TOTAL \$ _____ (subtract line 3 from line 2)

Inventory Reporting (Liquor only):

list inventory purchases from licensed wholesalers for this period. (you may use a separate sheet of paper and attach if necessary)

WHOLESALER NAME	LITERS PURCHASED	POURING INFORMATION (liquor only)
_____	_____	1. Average ounces per drink poured _____ oz
_____	_____	2. Average price per drink sold \$ _____
_____	_____	
_____	_____	
Total Liters Purchased	_____	

I certify the above information is true and correct. This application and any attachments contain no false or fraudulent information.

SIGNATURE AND PRINTED NAME OF PERSON PREPARING REPORT

_____/_____/_____
DATE

SIGNATURE AND PRINTED NAME OF LICENSEE

_____/_____/_____
DATE

TOTAL AMOUNT DUE: \$ _____

Received by: _____

_____/_____/_____
DATE

(make check payable to City of Suwanee)

This return is subject to audit; please maintain a copy for three (3) years.

CLASSIFIED ADVERTISEMENT FORM

Alcohol beverage license



Attn: Legal Classified-Gwinnett Daily Post

Fax: 770-339-8082

Re: NOTICE OF ALCOHOLIC BEVERAGE LICENSE REQUEST

An application for an alcohol beverage permit to serve beer, wine and distilled spirits has been filed with the City of Suwanee, Georgia by the following party at the following at the following location, to wit:

Applicant/Owner: _____

Registered Agent: _____

Business Name: _____

Location: _____

A public hearing will be held at the Suwanee City Hall on _____, _____ / _____ / 20_____
at _____ pm. City Hall located at 330 Town Center Avenue, Suwanee, GA. All those having an interest in this application or wishing to be heard should be present at this hearing.

The Business Services Department requests that this ad be run on the following days:

_____ and _____.

MANAGER CHANGE FORM

Alcohol beverage license



1. Business Information:

Business Name: _____

Location: _____
STREET NUMBER STREET NAME SUITE / APT

_____ CITY STATE ZIP CODE

Phone: ____ / ____ - _____

2. Applicant Information

Name: _____
LAST FIRST MIDDLE

Location: _____
STREET NUMBER STREET NAME SUITE / APT

_____ CITY STATE ZIP CODE

SSN: _____ - _____ - _____

Home Phone: ____ / ____ - _____ Cell Phone: ____ / ____ - _____

Sex: _____ Race: _____

Date of Birth: ____ / ____ / _____ Place of Birth: _____

Color of Hair: _____ Color of Eyes: _____

3. Are you a: (check one)

US Citizen Legal Alien Other (please explain) _____

4. State any other names which you have used (maiden names, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc.) Specify which and indicate dates.

5. List all places of residence for the past ten years (most recent first).

FROM MONTH / YEAR	TO MONTH / YEAR	ADDRESS	CITY	STATE
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

MANAGER CHANGE FORM

Alcohol beverage license

6. Have you ever been arrested, or held by federal, state or other law-enforcement authorities, for any violation of federal, state, county or municipal law, regulation or ordinance? (Do NOT include traffic violations. All other charges, including DUI's, must be listed even if they were dismissed. State reason you were charged or held, date, place and disposition. If no arrest was made, state "No Arrest". After the last entry, state "No other arrests" _____

CERTIFICATION

NOTE:

Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing, and it includes all attached sheets submitted herewith.

The undersigned hereby certifies that _____
NAME
is the Manager of _____
NAME OF BUSINESS

The undersigned further certifies that:

I have been given a copy and have read and understand the City of Suwanee Code of Ordinances, Chapter 6 Alcoholic Beverages;
I understand that a \$50.00 one-time administrative fee will be charged and a background check including fingerprinting will be conducted;
All laws, rules and regulations of the United States, the State of Georgia and the City of Suwanee now enforced or which may hereafter be promulgated or enacted regulation and governing the sale of alcoholic beverages will be complied with; and
I further understand that I am liable to penalties of the law (both fine and imprisonment) should any false or fraudulent statement of representation be made in connection with this application.
I solemnly swear that the facts stated in the above and foregoing manager change form are true and correct.

Sworn to and subscribed before me this _____ day of _____, 20 ____

NOTARY PUBLIC

APPLICANT'S SIGNATURE

