

CONFIDENTIAL

Please Type or Print Legibly

**CITY OF ATHENS
ALCOHOL BEVERAGE LICENSE APPLICATION**

New

Transfer

ALCOHOL LICENSE TYPE: _____

I. APPLICANT INFORMATION

A. Name of Business: _____

B. Physical Address: _____

C. Type of Business: ____ Individual ____ Partnership ____ Corporation
____ Association ____ LLC

D. Below, list the individual applicant(s), or all partners, or officers and directors, if an incorporated business, no matter the percentage of business owned:

NAME / TITLE	D.O.B. / PLACE	PRESENT ADDRESS	SSN
1)			
2)			
3)			
4)			
5)			
6)			
7)			

Contact Information:

Phone Number (Home/Cell)

Phone Number (Work)

Email Address

E. Complete the following questions regarding the applicant(s).

- 1.) Do any of the APPLICANTS, whether individual, member of partnership or association, or officer and directors of corporation or the corporation itself, in ANY manner have a financial interest either directly or indirectly in any other class of business regulated under any alcoholic beverage law? If so, please describe completely. _____

- 2.) Does the APPLICANT own or control, either directly or indirectly, or hold any lien against any real or personal property which is rented, leased, or used in the operation of business by the holder of a permit or license issued under the authority of any alcoholic beverage law? If so, please describe completely. _____

- 3.) Is the APPLICANT receiving, either directly or indirectly, ANY loan, credit, cash, or equivalent from any other alcoholic beverage licensee or from or through any subsidiary or affiliate of another alcoholic beverage licensee, or from any individual, firm, association, or corporation operating under or regulated by the authority of any alcoholic beverage law? If so, please describe completely. _____

- 4.) Has APPLICANT ever applied for and refused a State or City permit or license, or had a permit or license suspended or revoked by any State or City authority? If so, please describe completely. _____

- 5.) Has an alcoholic beverage license ever been suspended, revoked, or denied to anyone at the location for which this application is submitted? If so, please describe completely. ____

- 6.) Does the APPLICANT currently possess any other permit or license issued by the State of Alabama or the City of Athens for the sale of alcoholic beverages? If so, please list the license number, date of issuance, license type, name under which the license is issued, and the physical address of the licensed business. (attach additional sheet if necessary)

II. LOCATION INFORMATION

A.) Physical Address of Business (Copy of the legal description must be included)

B.) Mailing Address and phone number for the business:

C.) Indicate the name under which the business is to be operated _____

D.) Are you currently operating a business at this location? If so, please indicate the name of the business, type of business, and the length of time you have been operating.

E.) If you are purchasing an existing business, please indicate the name and City of Athens license number for that business _____

F.) Will any building renovations, remodeling, or repairs be completed prior to opening your business at this address? If so, please describe the nature and extent of this work.

G.) Give a description of the building interior (e.g., sq. feet, # of rooms, type rooms, etc.)

Attach a sketch of the building showing entrances, exits, rooms, etc. with approximate dimensions. (A free-hand sketch is acceptable if legible).

H.) List the complete name, residence address, and phone number for the owner(s) of the real estate for which this license is being requested

I.) List all lessees or sub-lessees of the real estate for which this license is being requested

III. HOTEL / MOTEL (Complete this section only if applicable to your business)

- A.) Indicate the total number of fully equipped rooms available for transient lodging _____
- B.) Does the applicant own, operate, or lease dining facilities within this location? If so, please describe _____

- C.) Indicate the square footage of the dining facilities _____
- D.) Indicate the maximum capacity of persons who can be accommodated at one time in the dining space _____
- E.) Is the food preparation area separate but adjoining the dining space? _____

IV. RESTAURANT (Complete this section only if applicable to your business)

- A.) Indicate the total number of square feet of floor space in the dining room _____
- B.) Indicate the maximum capacity of persons who can be seated at tables or booths at any one time in the dining room _____
- C.) How frequently will meals be offered to the public? (e.g., daily, twice daily, continuously) _____
- D.) Will all meal preparations occur on the premises of this location? If not, please describe _____

- E.) Is the food preparation area separate but adjoining the dining room? _____

V. LOUNGE / CLUB (Complete this section only if applicable to your business)

- A.) List the following for each manager, or anyone who will be in a daily supervisory position for this business

Name / Position	D.O.B / Place	Present Address	Soc. Sec. #
1)			
2)			
3)			
4)			
5)			
6)			

VI. GENERAL INFORMATION (All applicants must complete this section)

A.) If application is for retail off-premise sales, indicate the total number of square feet of floor space in the retail sales area _____

B.) If application is for wholesale sales, indicate the total number of square feet of floor space in the warehouse area _____

C.) If the applicant is a corporate entity, indicate the date and place of incorporation along with the book and page number where officially recorded. If a corporate entity not incorporated under the laws of the State of Alabama, provide a copy of the certificate of authority to engage in business within the State of Alabama

Date of Incorporation _____ Place _____

Book _____ Page _____

VII. CRIMINAL HISTORY (All applicants must complete this section)

- A.) Include an Alabama Law Enforcement Agency Criminal History Information Release Form for the applicant, each partner, officer, or landlord. **Each form must be completed entirely and must be legible. Additionally, each release form must be accompanied by a bank or postal money order, cashier's check, or some type of certified funds made payable to Alabama Law Enforcement Agency in the amount of \$25.00. You can submit one combined payment for the total number of forms if you choose.**
- B.) The applicant and all other parties listed above in Section VII (A) hereby authorize the Police Department of the City of Athens and the Alabama Department of Public Safety to furnish the governing body of the City of Athens with any and all information concerning them as relates to their criminal history and general reputation and character. Information of a confidential and privileged nature may be included in this investigation and report as determined through a search of City, State, and Federal law enforcement records. This information will be used by the City of Athens to determine qualifications for obtaining an alcoholic beverage license by the applicant.

I / we understand our rights under Title 5, United States Code, Section 552A, including the Privacy Act of 1974, and willingly waive those rights with the understanding that any information collected will be used by the City of Athens in conjunction with alcoholic beverage licensing procedures. I / we hereby release the City of Athens, its agents, employees, and governing body from any liability or damage which may result from the investigation into my/our criminal history. The applicant acknowledges that each party named has been informed of the contents of this application and has authorized the applicant to sign and execute such waiver on their behalf. The applicant agrees to hold the City of Athens, its agents, employees, and governing body harmless from any damages arising out of any disclosures of any information arising from investigation of criminal history or of any part of this application relating to the applicant or any other persons named herein.

Signed _____ Date _____

Title/Position _____
(Must be signed by a principle applicant or authorized officer if corporate entity)

THE FOLLOWING INFORMATION MUST BE PRINTED LEGIBLY OR TYPED TO BE ACCEPTED

VII. AFFIRMATION (This section MUST be completed and notarized)

The APPLICANT for the license requested herein, hereby swears or affirms that he/she and all parties interested in said application have read all questions, and the answers thereto, all in connection with application of said APPLICANT for a City of Athens Alcoholic Beverage License as indicated in said application; that he/she and all parties interested in said application for license fully acknowledge that this attachment is a part of said application and all statements and facts herein are true and correct to the best of my knowledge; that he/she and all parties interested in said application understand, acknowledge, and affirm that the applicant is the only person in any manner with a pecuniary interest in the business so asked to be licensed, except as stated, and that no other person shall be in any manner pecuniary interested therein during the continuance of the license, and that any finding or non-conformance with this affirmation can result in denial of license approval or revocation proceedings subsequent to license approval.

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

Signature of Applicant

Notary Public

Print Name and Title of Person Signing as Applicant

Date Commission Expires

**CITY OF ATHENS
ALCOHOLIC BEVERAGES LICENSE APPLICATION
APPLICANT CHECKLIST**

ATTACHMENTS TO BE INCLUDED BY ALL APPLICANTS:

1. **Transfer agreement if purchasing business from an existing alcohol license holder**
2. **Certification of notice to surrounding property owners**
3. **Copies of driver's license for all applicants/owners**
4. **Criminal background investigation forms for ALEA**
Each applicant/owner must fill out a separate ALEA application and must include the information below.
(Must include separate cashier's check or money order made payable to ALEA, one form of valid photo identification, and a classifiable set of your own fingerprints taken by an authorized law enforcement agency with an FBI issued Originating Agency Number)

*FBI background checks are acceptable.
All background checks obtained previously must be within 2 years of application date.
5. **Copies of the deed or lease agreement for the business address**
6. **Articles of Incorporation or LLC formation papers**
7. **Alcohol license tax bond (Must be on City of Athens form which will be provided)**
8. **Copy of ABC application (Not the ABC Pre-application)**
9. **Food Permit (If applicable)**
10. **Certificates of Occupancy when issued by the Building Inspector & Fire Inspector**
11. **ABC License**

CITY OF Athens ALCOHOLIC BEVERAGE LICENSE APPLICATION PROCESS OVERVIEW

Application for a license to sell alcoholic beverages is somewhat different than the application for a general license for a retail, wholesale, or service related business. Due to the regulatory nature of this type of business, there are additional requirements for the issuance of a license to sell alcoholic beverages. The following will hopefully serve as an overview of the application process currently in use by the City of Athens.

The typical amount of time required for the application, approval, and issuance process is 45 days. Primarily this is due to the fact that there is a significant amount of documentation required in order to provide the City Council with an accurate insight into the financial, management, and personal background of the applicant and those involved with the business. There are also several inspections that must be scheduled and approved as a part of the process.

Built in to the process are opportunities, if needed, to meet with the City Clerk's Office to review the application for completeness and/or to answer any questions you might have regarding the application. It is important to the process for the lines of communication to remain open so that there will be as little misunderstanding of expectations as possible. There are specific deadlines for several aspects of the application process and if these are not complied with the result is delay in approval and more importantly to you, the opening of your business.

The following steps, along with a brief description, are listed in the order of completion for a typical application, approval, and issuance of an alcoholic beverage license. There are only two (2) methods for making application; as a new licensee, or as a transfer of an existing license. If you are going to transfer an existing license by change of ownership, **DO NOT PURCHASE, BEGIN OPERATING, OR MANAGING THE BUSINESS UNTIL AFTER THE CITY HAS BEEN CONTACTED!**

Step 1. Verification of Zoning - Form completed by applicant and approved by the Zoning Department confirming that current zoning ordinances support the proposed use.

Step 2. Application Release & Overview - Upon the verification of zoning, an application package is released for completion. If you would prefer, a scheduled meeting can be arranged to go over the application and any specific requirements for your business.

Step 3. Application Completion - This is the gathering of necessary documentation and answering application questions by the applicant. All sections and information on the application must be completed fully unless instructed otherwise on the application

Step 4. Application Submission & Review - The completed application is returned and submitted for consideration. At this time, the applicant pays an application fee, and dependent on the type license desired, costs associated with the required public notice. Prior to submitting the application, it is preferred that an appointment be scheduled with the City Clerk's Office in order to review the material for any incomplete or missing information and/or documentation. This will avoid needless delay in the subsequent discovery of any omission and resubmission of that material.

Step 5. Background Investigation - All persons with any financial, operational, or management interest in the proposed business will be listed on the application. As part of the application review, a criminal background search is performed by the Alabama Law Enforcement Agency with the history provided for review by the City Police Department. This review by the Alabama Law Enforcement Agency generally will require approx. 4-6 weeks.

Step 6. City Council Consideration - Following the background investigation, the request for a license is submitted to the Alcohol License Review Committee for their recommendation to the City Council. The City Council will then consider the application for their vote. Any approval given is contingent upon satisfactory departmental approvals by Building, Fire, and Health. The Council meets on the second and fourth Monday of each month. All types of alcohol license requests can be heard at either meeting. There are several critical deadlines associated with this step and these will be discussed with you at the time of releasing the application.

Step 7. Departmental Approvals - As noted, all approvals by the Council are contingent upon satisfactory department approvals. It is the responsibility of the applicant to contact the Building, Fire, and Health departments to schedule the necessary inspections.

Step 8. Release of Approval - Upon receiving all approvals, the City Clerk's Office will review the file and authorize the release of the City's approval to the local representative of the State of Alabama Alcoholic Beverage Control Board.

Step 9. Presentation of ABC License - Upon releasing the City's approval of your business for sales of alcoholic beverages, the State ABC Board will issue their License. (The ABC Board has an entirely separate application process that should be simultaneous with this application). The ABC License must be presented to the City Clerk's Office, so a City of Athens Alcohol License can be issued for your business. The City will also issue separate licenses for other business activities dependent upon the exact nature of your business (e.g., restaurant, billiards, grocery, etc.)

ONE TIME COSTS ASSOCIATED WITH ALCOHOL BEVERAGE LICENSING APPLICATION:

APPLICATION FEE - \$300.00 (payable to City of Athens)

ADVERTISING FEE - \$125.00 (to advertise the public hearing at a City Council meeting)
Athens

Payable to City of

BUILDING INSPECTION FEE - Call 256-233-8715 to set up an appointment and to obtain the current fee

FINGERPRINTING FEE - Limestone County Sheriff's Office. Bring original fingerprint cards to the City Clerk's Office. You may opt to travel to Alabama Law Enforcement Agency to expedite.

BACKGROUND CHECK - \$25 Money Order or Cashier's Check **(per owner and payable to ALEA)**. City Clerk's Office will mail form(s) to ALEA in Montgomery

GENERAL INFORMATION

WHEN BEGINNING THE APPLICATION PROCESS WITH THE CITY OF ATHENS, YOU SHOULD CONTACT THE LOCAL OFFICE OF THE ALABAMA ALCOHOL BEVERAGE CONTROL BOARD ASAP AT THE FOLLOWING NUMBER: 256-650-3716, Huntsville ABC Board

THE ABC REPRESENTATIVE WILL PROVIDE THE INFORMATION NECESSARY TO COMPLETE AN APPLICATION WITH THE STATE OF ALABAMA.

City Clerk's Office

256-233-8720

Hope Wood, Revenue Officer- hwood@athensal.us

Kayla Nave, Assistant Revenue Officer- knave@athensal.us

Important Phone Numbers

FIRE DEPARTMENT	262-1394	James Hand, Fire Chief
PLANNING/ZONING	262-1413	Erin Tidwell, City Planner
BUILDING DEPARTMENT	233-8715	Erik Waddell, Chief Building Inspector
POLICE DEPARTMENT	233-8716	Anthony Pressnell, Chief of Police
HEALTH DEPARTMENT	232-3200	

IT IS THE APPLICANT'S RESPONSIBILITY TO CONTACT THE HEALTH DEPARTMENT FOR THE NECESSARY INSPECTIONS REQUIRED FOR THE ALCOHOL LICENSE.

FOLLOWING A SATISFACTORY INSPECTION, THE DEPARTMENTAL REPRESENTATIVE WILL SIGN-OFF THE APPROVAL ON THE ORIGINAL APPLICATION, WHICH IS MAINTAINED IN THE CITY CLERK'S OFFICE. THE APPLICATION IS NOT GIVEN FINAL APPROVAL UNTIL ALL DEPARTMENTS HAVE SIGNED-OFF AND ALL REQUIRED DOCUMENTATION HAS BEEN PROVIDED TO THE CITY CLERK'S OFFICE.

UPON RECEIPT OF THE STATE ABC LICENSE, YOU ARE REQUIRED TO BRING THAT LICENSE TO THE CITY CLERK'S OFFICE AND WE WILL ISSUE THE CITY LICENSE TO COMPLETE THE PROCESS. YOU ARE NOT ALLOWED TO SELL ALCOHOLIC BEVERAGES UNTIL YOU HAVE OBTAINED BOTH THE STATE ABC LICENSE AND THE CITY LICENSE.