

City of Fairmount

New Application for Alcoholic Beverage Retail/Packaging License

Type of License requested:

- | | |
|---|---------|
| (1) _____ malt beverage (beer) only license | \$800 |
| (2) _____ wine only license | \$1,000 |
| (3) _____ malt beverage (beer) and wine license | \$1,750 |

1. Business/Premises where Alcohol is to be sold

Name of Business: _____

Trade Name of Business if different (i.e., d/b/a): _____

Premises Address: _____

Telephone: _____ Cell Phone: _____

2. Business Owner

Name of Business Owner: _____

Business Owner is Individual: _____; Partnership: _____; Corporation: _____; Other: _____

If individual, Owner's Residence Address: _____

If individual, is Owner a U.S. Citizen? _____ (If naturalized, provide cert. of naturalization)

If **Corporation**, provide address of corporate offices and provide names and addresses of all officers and all shareholders holding more than 10 percent ownership. If **Partnership**, provide names and residence addresses and citizenship status of all partners on separate sheet. If **Other**, provide information about type of entity and ownership.

3. Applicant for License

The following persons or entities can apply for a license: (1) a natural person who is at least twenty-one (21) years of age, who is a United States Citizen, and who is a resident of the State of Georgia; (2) a partnership all of whose partners meet the aforesaid qualifications for an individual licensee; or (3) a corporation authorized to do business in the State of Georgia.

Name of Applicant: _____

Applicant is Individual: _____; Partnership: _____; Corporation: _____

If Corporation, provide address of corporate offices and provide names and addresses of all officers and all shareholders holding more than 10 percent ownership. If Partnership, provide names and residence addresses and citizenship status of all partners on separate sheet.

If Individual, provide the following information:

Address (must reside in Gordon Co): _____

Telephone: _____ Cell Phone: _____

Applicant's Position at Business: _____

Social Sec. Number: _____ Driver's Lic. No./State: _____

Date of Birth: _____

Is this address your legal residence? _____ How long have you lived there? _____

Are you a citizen of the United States? _____ (If naturalized, provide cert. of naturalization)

Do you hold or have you held any other alcohol licenses from this jurisdiction or any others? _____

If yes, state from where, and the years the license was held: _____

Have you ever had an alcohol license revoked? _____ If so, describe the jurisdiction and circumstances: _____

If you cannot swear to all the Certifications set forth below, please explain: _____

4. Resident Manager

When a license for the sale of any alcoholic beverage is applied for by an individual who is not a resident of Gordon County, or by a partnership or corporation or other entity, said applicant shall also name an individual resident manager who shall be responsible for managing and overseeing the proposed business of selling alcoholic beverages. Said manager must meet and maintain all requirements of an individual licensee as prescribed by this ordinance, including age and residence, as if said manager were individually applying for the license.

Name of Resident Manager: _____

Address (must reside in Gordon Co): _____

Telephone: _____ Cell Phone: _____

Applicant's Position at Business: _____

Social Sec. Number: _____ Driver's License#/State: _____

Date of Birth: _____

Is this address your legal residence? _____ How long have you lived there? _____

Are you a citizen of the United States? _____ (If naturalized, provide cert. of naturalization)

Do you hold or have you held any other alcohol licenses from this jurisdiction or any others? _____

If yes, state from where, and the years the license was held: _____

Have you ever had an alcohol license revoked? _____ If so, describe the jurisdiction and circumstances: _____

If you cannot swear to all the Certifications set forth below, please explain: _____

CERTIFICATIONS

I, the undersigned, being a person of good moral character, hereby make application for an alcoholic beverage license as specified above and swear under oath as follows:

I am a citizen of the United States, a resident of the State of Georgia, and am 21 years of age or older.

I have never been convicted under any Federal, State or Local law of a felony involving moral turpitude and have not been convicted under any Federal, State or Local law of any felony within ten (10) years preceding the filing of this application.

I have not had revoked, for cause, within three (3) years preceding the filing of this application, any license issued to me by any city, county or State, to sell alcoholic beverages of any kind.

I shall be active in, and responsible for, the management and operation of the business for which the license is requested.

I understand that a violation of any of the regulations and ordinances of the City of Fairmount, or a violation of any law or regulation of the State of Georgia, pertaining to alcohol, shall subject the license to suspension or revocation. I understand I am bound by the terms of the Fairmount Alcoholic Beverage Ordinance as amended and that my license must be renewed annually.

I hereby authorize the Gordon County Sheriff's Department to obtain my fingerprints and share the results with the City of Fairmount and also let the City of Fairmount conduct a criminal background check on me. The City shall also be authorized to review civil public records related to me.

I swear and affirm that all information on this application is true and correct. I understand that any material omission from, or untrue or misleading information which is contained in, an original, renewal or transfer application for a license hereunder shall be cause for the denial or refusal of a license, and if any license has been previously granted under such circumstance, the same shall constitute due grounds for immediate revocation.

If individual seeking license, that person must sign. If a partnership, all partners must sign. If a corporation, an officer of the corporation must sign. For partnerships and corporations, the resident manager must sign. Attach additional sheets if necessary.

Signed: _____

Signed: _____

Print Name: _____

Print Name _____

Title: Owner

Title: Owner

Signed _____

Print Name _____

Title: Manager

All the foregoing signatures were sworn to and subscribed before me this ____ day of _____, 20____.

Notary Public

Note:

Attach such other documents as are required by the City Clerk to satisfy the ordinance.

- (a) No license shall be granted to any person unless the location meets all state law distance setback requirements as to schools, churches, school grounds, alcoholic treatment centers and other uses as regulated by state law. Furthermore, no package outlet or pouring outlet shall be located within 200 yards of any church building, school building, school grounds or college campus.
- (b) Each applicant for a pouring license shall include a scale drawing of the _____ location of the proposed premises showing the distance to the nearest type of _____ building and/or property lines of types of property referred to in subsection (a), or a certificate of a registered surveyor that such

location complies with subsection (a). Distances are to be measured in a straight line from the front door of the structure from which beverage alcohol is to be sold to the front door of the building of a church, government-owned treatment center or retail package store or to the nearest property line of the real property being used for school or education purposes.

- (c) When a license for the sale of any alcoholic beverage is applied for by an individual who is not a resident of Gordon County, or by a partnership or corporation or other entity, said applicant shall also name an individual resident manager who shall be responsible for managing and overseeing the proposed business of selling alcoholic beverages. Said manager must meet and maintain all requirements of an individual licensee as prescribed by this ordinance, including age and residence, as if said manager were individually applying for the license.
- (d) All applicants for licenses hereunder shall give notice of the making of an application by advertisement at least once a week for two (2) consecutive weeks prior to the date of public hearing on such application as provided herein in the newspaper in which the legal advertisements of Gordon County are published, which notice shall contain a complete description of the location of the proposed business and shall give the name of the applicant, and, if a partnership, the name of the partners whether limited or general, and if a corporation, the names of the officers and all stockholders of record therein who own at least ten (10) percent of the stock of said corporation, and the date and time the Mayor and Council will hear such application. The advertisement referred to herein shall be of type not smaller than 10. Capital and lower case and shall be at least two (2) inches by two (2) column advertisement.
- (e) The applicant shall cause to be placed on the location of the proposed business for at least two (2) weeks prior to the date set for hearing on the application for retail alcoholic beverage license, a sign or signs stating the following “ALCOHOLIC BEVERAGE LICENSE APPLIED FOR. HEARING BEFORE MAYOR AND COUNCIL OF THE TOWN OF FAIRMOUNT, GEORGIA, ON THE ____ DAY OF _____, 20__.” The sign or signs required by subsection shall not be less than twenty-four (24) inches by twenty-six (26) inches and shall face toward all public streets, alleys, sidewalks, or other public property adjoining the proposed location. Such sign shall be placed where it can easily be seen from all public properties adjoining the proposed location.
- (f) In addition to the license fee required herein, each licensee for the sale of alcoholic beverages shall post a Five Hundred and No/100 (\$500.00) Dollar cash bond or surety bond in favor of the City of Fairmount to insure compliance with the requirements and prohibitions of this ordinance by said licensee. Said surety bond shall be with an insurance company authorized to do business in the State of Georgia. Said bond must provide that the insurance company issuing said bond will notify the City of Fairmount through the City Clerk if said bond is cancelled for any reason, including cancellation for failure to pay premiums.
- (g) There shall be attached to and made a part of the above application a financial statement detailing the amount of investment by applicant; the amount and source of loans, if any; and collateral used to secure loans, if any. This statement and the information therein shall be treated confidentially and shall be examined by the Mayor, Council, City Clerk and City Attorney of the City of Fairmount only.

Checklist:

1. Read Fairmount Alcoholic Beverage Ordinance
2. Provide certification or drawing showing surrounding uses (school, churches, etc) and distances.
3. Provide copy of deed or lease to the premises.
4. Provide financial statements.
5. Provide application fee plus \$100 processing fee.
6. Tender \$500 surety bond.
7. Copy of Advertisement and tear sheet must be provided before Council hearing.
8. Sign must be posted prior to hearing.

For Staff Use:

DATE APPLICATION SUBMITTED: _____

COUNCIL HEARING DATE: _____ **(within 45 days of complete application)**



City of Fairmount
P.O. Box 705 Fairmount, GA 30139
Phone: 706-337-5306 Fax: 706-337-4676
www.fairmountga.gov

Affidavit Verifying Status for City Public Benefit

Instructions: As required by Official Code of Georgia § 50-36-1(d)(1), any natural person who applies for a state or local public benefit must execute an affidavit concerning the applicant’s legal presence in the United States. Any applicant who is the sole owner of a business or the sole member of an LLC and who is either a qualified alien or nonimmigrant lawfully present in the United States is required to execute this Affidavit under oath before a notary public.

By executing this affidavit under oath, as an application for the City of Fairmount, Georgia, I am stating the following with respect to my application for the City of Fairmount, Check the box that applies:

- | | |
|---|--------------------------------|
| _____ Business License/Occupational Tax Certificate | _____ Alcohol Beverage License |
| _____ Insurance Company License | _____ Employee Health Benefits |
| _____ Contract with the City of Fairmount | _____ Flea Markets Licenses |

Or other public benefit as referenced in O.C.G.A. § 50-36-1 for _____

Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity:

_____ **Name of Business** _____

- 1) _____ I am a United States citizen.
- 2) _____ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an Alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration Agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure & verifiable document provided with this affidavit can best be classified as: _____

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Signature of Applicant: _____ Date: _____

Printed Name: _____

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

_____ DAY OF _____, 20____ Signature of Notary Public: _____

My Commission Expires: _____

*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the Federal Immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of “alien,” legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number: _____

CONSENT FORM

I hereby authorize, City of Fairmount, Georgia to receive any criminal history record information pertaining to me which may be in the files of any state or local criminal justice agency in Georgia.

Full Name Printed

Address

City

State

Zip Code

Sex

Race

DOB

SSN

Signature

Notary

Date

SEAL

STATE OF GEORGIA
COUNTY OF GORDON
CITY OF FAIRMOUNT

I hereby certify that I have examined the property located at

In the City of Fairmount and find that no church building, school building, education building, school grounds, or college campus is within three hundred (300) feet.

In witness whereof, I have hereunto set my hand and affixed my seal this _____ day of _____, 20____.

Registered Surveyor

(seal)