

OFF-PREMISE APPLICATION

CITY OF FAYETTEVILLE
ALCOHOLIC BEVERAGE
FEE SCHEDULE

Application Fees

- 1) Licensee---\$300.00 (Retail Package/Off Premise)
- 2) Wholesale---\$300.00

License Fees----Package/Off Premise

- 1) Beer---\$1,000.00
- 2) Wine--\$1000.00
- 3) Ancillary Growler Malt Beverage Tasting--\$500.00

Manufacturers

Manufacturer of Malt Beverages--\$1000

PLEASE NOTE: STATE ALCOHOL LICENSE ALSO REQUIRED FOR SELLING/SERVING ALCOHOL. THE STATE REQUIRES A COPY OF THE LOCAL (CITY) LICENSE BEFORE ISSUING A STATE ALCOHOL LICENSE.

BUILDING DEPARTMENT MUST VERIFY THAT DISTANCE REQUIREMENTS FOR SELLING/SERVING ALCOHOL ARE MET.

EMPLOYEE PERMIT REQUIRED FOR EACH CLERK/SERVER. APPLY AT FAYETTEVILLE POLICE DEPT: 760 JIMMIE MAYFIELD BOULEVARD. PHONE: 770-461-4441

NOTE: DO NOT SEND EMPLOYEES THROUGH GAPS FOR BACKGROUND CHECK FOR A CLERK/SERVER PERMIT.

Revised: 07/06/2020

ALCOHOL LICENSE PROCESS

_____ **1. Application Form and Fee:** \$300.00 (new license, change of owner/non-refundable)
(Note: No application fee required for Limited Pour License, Ancillary License)

_____ **2. Deed or Lease** – A copy of a deed or lease verifying the applicant to be a resident of the State of Georgia.

_____ **3. Notarized Affidavit and Criminal History Investigation Form:**

Applicants cannot have been convicted of, nor entered a plea of nolo contendere to, any felony or a misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs within five (5) years prior to the date of this application. Applicants must read and understand the City of Fayetteville Ordinance regarding the rules and regulations of the sale of alcoholic beverages. The License Representative must be a resident of the State of Georgia and a manager of the business.

*Forms that must be notarized and turned in with the application are as follows:

(Notary available in City Hall)

- a) The application
- b) Personnel Statement
- c) U.S. Citizen/Qualified Alien Affidavit
- d) Private Employer Affidavit
- e) Affidavit of Residence
- f) Alcohol License Applicant's Affidavit

_____ **4. Fingerprints for Licensee and License Representative.** The Georgia Applicant Processing Services (GAPS) on-line system requires applicants to register at www.aps.gemalto.com and have their fingerprints recorded at one of the GAPS locations nearby. **The applicant MUST complete the alcohol application, read the Non-Criminal Justice Applicant's Privacy Rights and the Privacy Act Statement in its entirety and submit it to City Hall before proceeding with the fingerprinting process. Upon receipt of the completed application and payment of the \$300 fee, the applicant will be provided with the City of Fayetteville ORI number which will be required to complete the on-line registration through GAPS.**

_____ **5. Notice of Application for License.** The applicant shall cause a notice of application to sell alcoholic beverages for consumption on the premises to be posted in a conspicuous manner at the main public entrance to the building or structure where it is proposed that customers be able to order and consume alcoholic beverages by the drink at the site of business designated on the application for a period of two weeks prior to the deadline for submitting public comments. Refer to Sec. 10-48(a) of the alcohol ordinance for details.

_____ **6. License Fee** – must be paid prior to the issuance of the license (refundable if unable to secure State of GA license). Annual license fees are as follows:

Retail Package (off Premise)

\$1,000 – Beer

\$1,000 – Wine

\$500 – Ancillary Growler Malt Beverage Tasting (must have an off Premise Beer License)

Consumption on Premise

\$1,000 – Beer

\$1,000 – Wine

\$5,000 – Liquor

\$50 – Limited Pour

\$500 – Ancillary Wine Tasting (must have an on Premise Wine License)

Manufacturer
\$1,000 – Manufacturer of Malt Beverages

_____ **7. Provide a Copy of State License** – to the Billing Coordinator within 90 days of receiving City License. The phone number to obtain a State License is (404) 417-4490. The Georgia Department of Revenue website for State licensing information is <https://dor.georgia.gov/retailers-state-only>.

_____ **8. Alcohol Handling Permits** – Permits are required for every employee that sells, serves alcohol. Permits may be obtained at the City of Fayetteville Police Department. A list of employees must be provided to the City of Fayetteville Police Department that includes permit number, home address, and telephone number within 30 days of opening. The list must be updated annually upon alcohol license renewal.

_____ **9. Mixed Drink Tax** - In addition to license fees, all retail alcoholic beverage dealers for consumption of distilled spirits by the drink on the premises are imposed an excise tax of three percent of the purchase price of the drink. Monthly excise tax reports can be obtained in the Tax & License office or on our city's website. Reports and tax payments are due by the 10th day of the month following the calendar month in which the alcoholic beverages are sold or dispensed.

Annual Renewals:

All alcohol licenses expire on December 31. Renewal forms will be mailed in October and must be returned with payment by December 1 without penalty per City ordinance. If renewal payments are made online, you must upload or mail in your renewal application. Your license will not be issued until we receive your renewal application.

August 20, 2019

CITY OF FAYETTEVILLE

REQUIRED VERIFICATION FOR ALCOHOL LICENSE

Business Name: _____

Business Address: _____

Facility provides table seating for _____ persons (on-premise consumption only)

Signature of Applicant: _____

OFFICE USE ONLY

Is location in compliance with distance requirements of the City Ordinance for sales/serving of alcohol?

_____ Yes _____ No

Signature of Building Official: _____

Does this location comply with the applicable provisions of the city alcohol ordinance?

_____ Yes _____ No

Signature of Zoning Official: _____

Signature Section

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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. Also, I hereby affirm that I have read the Non-Criminal Justice Applicant's Privacy Rights and the Privacy Act Statement in its entirety.

Signature

I hereby certify that _____ signed his name to the forgoing 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

U. S. CITIZEN/QUALIFIED ALIEN AFFIDAVIT

By executing this affidavit under oath, as an applicant for a City of Fayetteville, Georgia Business License or Occupational Tax Certificate, Alcohol License, or other public benefit as referenced in O.C.G.A. Section 50-36-1, I am stating the following with respect to my application for a City of Fayetteville Business License or Georgia Occupational Tax Certificate, Alcohol License, Taxi Permit or other public benefit (CIRCLE ONE) for:

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

1) _____ I am a United States Citizen

OR

2) _____ I am a legal permanent resident 18 years of age or older, or I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act, 18 years of age or older and lawfully present in the United States.*

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 Code Section 16-10-20 of the Official Code of Georgia.

Signature of Applicant:

Date:

Printed Name:

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

____ DAY OF _____, _____

* _____
Alien Registration Number for Non-Citizens

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 below:

**Private Employer Affidavit Pursuant to O.C.G.A. § 36-60-6(d)
Required by Georgia Law**

By executing this affidavit under oath, as an applicant for a(n) _____ [*business license, occupational tax certificate, or other document required to operate a business*] as referenced in O.C.G.A. § 36-60-6(d), from the City of Fayetteville, Georgia, the undersigned applicant representing the private employer known as

_____ [*printed name of business*]

verifies one of the following with respect to my application for the above mentioned document:

(check one)

_____ On January 1st of the below signed year the individual, firm, or corporation employed **TEN (10) OR MORE EMPLOYEES.**

_____ On January 1st of the below signed year the individual, firm, or corporation employed **LESS THAN TEN (10) EMPLOYEES.**

IF THE EMPLOYER SELECTED TEN (10) OR MORE EMPLOYEES, PLEASE FILL OUT FEDERAL WORK AUTHORIZATION USER ID NUMBER BELOW. THIS IS NOT THE SAME AS THE TAX ID NUMBER.

The employer has registered with and utilizes the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A. § 36-60-6(a). The undersigned private employer also attests that its federal work authorization user identification number and date of authorization are as listed below:

_____ Federal Work Authorization User Identification Number

_____ Date of Authorization

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 allowed by such statute.

Executed on the _____ day of _____, 202__ in _____ (City) _____ (State)

_____ Signature of Authorized Officer or Agent (Representative of Business)

_____ Printed Name of and Title of Authorized Officer or Agent (of Business)

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE _____ DAY OF _____, 202__.

_____ NOTARY PUBLIC

My Commission Expires:

AFFIDAVIT OF RESIDENCE

I, _____, hereby swear that I am a resident of the

State of Georgia residing at _____

Signature

Print Name

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____ day of _____, 202____

Notary Public

My Commission Expires: _____

SEAL

NOTICE OF PUBLIC HEARING
OFF-PREMISE CONSUMPTION OF ALCOHOL

Application has been made by the undersigned requesting the issuance of a license to sell Malt Beverages and/or Wine for Off Premise Consumption at the following location:

Business Name: _____

Business Address: _____

Applicant's Name: _____
(Please Print)

The application will be considered by the City Manager of the City of Fayetteville, Georgia on the _____ day of _____, 20_____.

Applicant's Signature: _____

NON-CRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a non-criminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-3-35(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the GBI website:

<http://gbi.georgia.gov/obtaining-criminal-history-record-information>

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the GBI website (<http://gbi.georgia.gov/obtaining-criminal-history-record-information>).

PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92- 544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non- governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.