

CITY OF ONEONTA, ALABAMA ALCOHOLIC BEVERAGE LICENSE APPLICATION

Revision 6/13/2017



CITY OF ONEONTA ALCOHOLIC BEVERAGES LICENSE APPLICATION PROCESS OVERVIEW

To obtain an Alcohol Beverage License for the City of Oneonta, your business <u>must</u> be located inside the Oneonta city limits and properly zoned for business.

Application for a license to sell alcoholic beverages is 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 typical amount of time required for the application process is a minimum of 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.

You will need to meet with the City Manager or a designated representative to review the application for completeness and/or to answer any questions you might have regarding the application. This is very important to the process 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-** Applicant must schedule a meeting with the Building/Zoning Department, (205) 274-2127. To review Verification of Zoning Form. This Form is to be complete by applicant and returned to the Oneonta Building/Zoning Department to confirm that current zoning ordinance supports the use. A copy of the legal description and most recent survey or plot plan for the address of the proposed business is required for this step.
- **Step 2. ABC Application** Prior to making application with the City of Oneonta, you must apply with the State Alcoholic Beverage Control (ABC) Board. You may want to call the Huntsville ABC Office at (256) 726-0401, to schedule an appointment with the local ABC Agent to begin their application process.
- **Step 3. City Application Overview & Release** Upon the verification of zoning and the ABC Application Process, an application package for Oneonta Alcohol Beverage License is released for completion. Forms are available it the City Manager's office, or you may download forms from the City's website, www.cityofoneonta.us, however, a meeting must be scheduled with the City Manager, (205) 274-2150, to go over the application and any specific requirements for your business.
- **Step 4. Departmental Approvals** It is the responsibility of the applicant to contact the Building, Fire and Health (if applicable) Departments to schedule the necessary inspections. All approvals by the council are contingent upon satisfactory department approvals. **(Form 2 and Form 3)**
- **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 process, a criminal background search is performed by the Alabama Bureau of Investigation (ABI) with the history provided for review by the Oneonta Police Department. (You will be fingerprinted at the Oneonta Police Department.) Form ABI-46 is included in the application package, or is available on-line at: http://dps.alabama/gov/ABI/forms/ABI-46.pdf The ABI review will generally require at least fourteen (14) days.
- **Step 6. Return Completed Application to City Manager** The completed application, including ABI Form 46, is returned and submitted for consideration. At this time, the applicant pays an application fee and any costs associated with the public notice.
- **Step 7.** Alcohol License Review Committee Consideration Once the City Manager receives the completed application and criminal history information from ABI, a meeting of the Alcohol License Review Committee will be scheduled.



- **Step 8. Public Hearing** After the Alcohol License Review Committee has met and reviewed the application, the City Manager will notify the applicant to schedule a time and date for the required Public Hearing.
- **Step 9. Notification to Surrounding Property Owners Form 4.** *Notice Provided to Surrounding Property Owners Concerning Application for Alcoholic Beverage License* will be provided to all residents, real property owners and businesses within two hundred fifty (250) feet of the property sought to be licensed. These notices will be prepared and distributed by the City of Oneonta.
- **Step 10. Public Hearing and City Council Consideration** The Council meets on the second and fourth Tuesday of each month. The City Council will conduct the Public Hearing, as scheduled, and then consider the application for their vote. Any approval given is contingent upon satisfactory departmental approvals by Building, Fire, and Health (if applicable). There are several critical deadlines associated with this step, and these will be discussed with you at the time of releasing the application.
- **Step 11.** Release of Approval Upon receiving all approvals, the City Manager 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 (ABC) Board.
- **Step 12. Presentation of ABC License and Issuance of City 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 Manager's office, along with an Alcohol License Tax Bond OR a Letter of Credit from your bank. Upon doing so, a temporary City of Oneonta business 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, grocery, convenience store, etc.).

COSTS ASSOCIATED WITH ALCOHOLIC BEVERAGE LICENSING APPLICATION:

CITY OF ONEONTA APPLICATION FEE \$200.00 (Non-refundable)
ADVERTISING FEE: \$50.00 (Non-refundable)

If you should have any questions, please contact the City Manager at (205) 274-2150.



IMPORTANT PHONE NUMBERS AND CONTACTS

City Manager	(205) 274-2150	Ed Lowe
Public Safety Director/ Administrator	(205) 274-2150	Brandon Horton
Fire Department	(205) 274-2752	Arthur Willis
Zoning/Building Department	(205) 274-2127	Andy Alexander
Police Department	(205) 625-4351	Charles Clifton
Blount County Health Department	(205) 274-2120	



CITY OF ONEONTA, ALABAMA--ALCOHOL LICENSE APPLICATION THE FOLLOWING INFORMATION MUST BE PRINTED LEGIBLY OR TYPED TO BE ACCEPTED

CITY OF ONEONTA, ALABAMA ALCOHOL LICENSE FEE SCHEDULE

Please Check	Code	Type of License	Oneonta License Fee
	10	Lounge Retail Liquor (Bar, Nightclub, Etc.)	\$ 150.00
	11	Lounge Retail Liquor (Package Store)	\$ 150.00
	20	Restaurant Retail Liquor	\$ 150.00
	31	Club Liquor (For Profit)	\$ 150.00
	32	Club Liquor (Not For Profit)	\$ 150.00
	40	Retail Beer (On Premises)	\$ 75.00
	50	Retail Beer (Off Premises)	\$ 75.00
	60	Retail Table Wine (On Premises)	\$ 75.00
	70	Retail Table Wine (Off Premises)	\$ 75.00
	80	Wholesale Liquor	\$ 250.00
	90	Wholesale Beer	\$ 275.00
	100	Wholesale Table Wine (14.9% or Less)	\$ 275.00
	110	Wholesale Table Wine & Beer	\$ 375.00
	120	Warehouse	\$ 100.00
	140	Special Events - 7 Days or Less	\$ 150.00
	150	Special Events - 8 to 30 Days	\$ 250.00
	160	Special Events – Annual not to Exceed Dec. 31	\$ 250.00
	200	Manufacturer	\$ 500.00
	210	Importer	\$500.00
	220	Brewpub	\$1,000.00

Notice -All fees are subject to change in accordance and compliance with the State of Alabama Board of Alcoholic Beverage Commission's Fee Schedule as relates to Beer and Wine.



**All liquor licenses will also be submitting a 12% liquor tax based on their gross liquor sales.

I.	CONT	ACT INFORMATION FOR APPLICANT (All applicants must complete this section)
	A.	Name of Applicant:
	В.	Mailing Address of Applicant:
	C.	Primary Phone Number:
	D.	Secondary Phone Number:
	E.	Driver's License Number:
	F.	Social Security Number:
II.	APPL	ICANT'S BUSINESS INFORMATION: (All applicants must complete this section)
	A.	Name of Business:
	В.	Physical Address:
	C.	Type of Business: Individual Partnership
		Corporation Association
		LLC
	D.	Below, list the following for individual applicant(s), or all partners, officers and directors, if an incorporated business:
Name	e/Title	D.O.B. Present Address SSN
		/
		/

^{**}All New Licensees are subject to a non-refundable filing fee of \$250.00
**All licenses issued will follow a calendar year and will not be prorated or refunded for any reason.



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

(Do any of the applicants, whether individual, member or 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? Yes No. If yes, please describe completely:
•	
(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? YesNo. If yes, please describe completely:
(Is the APPLICANT receiving, either directly or indirectly, ANY loan, credit, cash or equivalent from any other alcohol licensee or from or through any subsidiary or affiliate of another alcohol licensee or from any individual, firm, association, or corporation operating under or regulated by the authority of any alcoholic beverage law? YesNo If yes, please describe completely:
-	
-	
	Has APPLICANT ever applied for and been refused any State or City permit or license, or had any permit or license suspended or revoked by any State or City authority? YesNo If yes, please describe completely:
-	

นแรง	pplication is submitted?
	YesNo If yes, please describe completely:
City on number 1	the APPLICANT currently possess any other permit or license issued by the State of Alabama or the of Oneonta for the sale of alcoholic beverages?
	·
GEN	IERAL INFORMATION (All applicants must complete this section)
GEN A,	IERAL INFORMATION (All applicants must complete this section) If application is for retail off-premise sales, indicate the total number of square feet of floor space the retail sales area
	If application is for retail off-premise sales, indicate the total number of square feet of floor space
Α,	If application is for retail off-premise sales, indicate the total number of square feet of floor space the retail sales area If application is for wholesale sales, indicate the total number of square feet of floor space in the
А,	If application is for retail off-premise sales, indicate the total number of square feet of floor space the retail sales area If application is for wholesale sales, indicate the total number of square feet of floor space in the warehouse area 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
А,	If application is for retail off-premise sales, indicate the total number of square feet of floor space the retail sales area If application is for wholesale sales, indicate the total number of square feet of floor space in the warehouse area 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.
A, B. C.	If application is for retail off-premise sales, indicate the total number of square feet of floor space the retail sales area If application is for wholesale sales, indicate the total number of square feet of floor space in the warehouse area 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:

Mailing address and phone number for the business			
Indicate the name under which the business is to be operated			
Are you currently operating a business at this location?YesNo If yes, please indicate the name of the business, type of business and the length of time you have been operating.			
If you are purchasing an existing business, please indicate the name of that business:			
Will any building renovations, remodeling or repairs be completed prior to opening your business a this address?YesNo If yes, describe the nature and extent of this work.			
Give a description of the building interior (e.g., square footage, # of rooms, type of rooms, etc)			

ATTACH A SKETCH OF THE BUILDING SHOWING ENTRANCES, EXITS, ROOMS, ETC. WITH APPROXIMATE DIMENSIONS. (A FREE-HAND SKETCH IS ACCEPTABLE IF LEGIBLE.)

		estate for which this license is being requested:	zai
			_
		B. List all lessees or sub-lessees of the real estate for which this license is being requested	- :
	8.	The City of Oneonta will notify all property owners/residents/business within two hundred fifty (250) feet of the proposed business location by mail or letter of the public hearing to consider yealcohol license application. The public hearing for your business will be advertised the week p to the City Council meeting in the local newspaper.	
V.	нот	EL/MOTEL (Complete this section only if applicable to your business)	
	A.	Indicate the total number of fully equipped rooms available for transient lodging	
	В.	Does the applicant own, operate or lease dining facilities within this location? YesNo If yes, 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?YesNo	

VI.	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					
	В.	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 o	offered to the public? (dai	ly, twice daily, contir	nuously)	
	D.			r on the premises of this blease describe			
	E.	Is the food preparat	ion area se	eparate but adjoining the	dining room?	YesNo	
VII.	LOUI	NGE/CLUB (Comp	lete this	section only if applical	ole to your busines	ss)	
	A.	List the following for business:	each mar	nager, or anyone who will	be in a daily superv	isory position for this	
Name	/Positio	on D.C).В	Present Address	SS	SN .	
1			/_				
2			/_				
3			/_		/		



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

- A. Include an Alabama Bureau of Investigation 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 Bureau of Investigation 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 in Section VII (A) hereby authorize the Police Department of the City of Oneonta and the Alabama Department of Public Safety to furnish the governing body of the City of Oneonta 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 the investigation and reported as determined through a search of City, State and Federal law enforcement records. This information will be used by the City of Oneonta to determine qualifications for obtaining an alcoholic beverage license by the applicant.
- C. 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 understanding that any information collected will be used by the City of Oneonta in conjunction with the alcoholic beverage licensing procedures. I/we hereby release the City of Oneonta, 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 the application and has authorized the applicant to sign and execute such waiver on their behalf. The applicant agrees to hold the City of Oneonta, 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 part of the application relating to the applicant of any other persons named herein.

Signed:	Date:
Title/Position	
(Must be signed by the applicant or authorized officer if corpo	orate entity)

VIII. BUILDING & FIRE INSPECTIONS

The applicant must correct all deficiencies found by the Building Department and the Fire Department within the allotted timeframe to obtain, renew or possess a City of Oneonta Alcohol License. If the business does not correct the deficiencies within the allotted timeframe as required by this section, the privilege and/or alcohol license may not be issued or may be revoked. Also building and fire inspections will not be completed until all construction and renovations have been completed and a Certificate of Occupancy has been issued.



IX. AFFIRMATION (This Section MUST be completed and notarized)

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

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 Oneonta 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 pecuniary interest in the business so asked to be licensed, except as stated, and that no other person shall be in any manner pecuniarily 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.

	Signature of Applicant		
	Print Name and Title of Person	Signing as Applicant	
Sworn / Affirmed to and subscribed before me this the	day of	,20	
Notary Public			
Date Commission Expires			

X. ALCOHOL LICENSE TAX BOND

It shall be the duty of each person subject to a license fee, privilege tax or excise tax imposed by the ordinance to deliver to the City of Oneonta, Alabama a bond conditioned to promptly pay to said City all such amounts as are required to be paid to said City under the terms of the ordinance, or any amendment hereto, and any other amount which may become due to the City of Oneonta, Alabama for any licensee fee, privilege tax or excise tax becoming due after the date of the bond. The amount of the bond shall be Ten Thousand Dollars (\$10,000.00) for each location of the person's business that is engaging in activity with respect to which a license or excise tax under this ordinance is imposed. Such a bond must remain in place continuously during the entire period that the person is subject to a license fee, privilege tax or excise tax imposed by the ordinance.

With respect to those instances where the consent and approval of the City Council is required with respect to the issuance of an alcoholic beverage license, such consent and approval will not be granted where the bond described in the section has not been delivered to the City Manager or designated representative. Moreover, where such a bond is required by this section, no privilege license shall be granted, renewed,



maintained or allowed to be transferred where the City Manager or authorized representative has not received or does not hold a valid and binding bond as required by this section.

STATE OF ALABAMA CITY OF ONEONTA

ALCOHOL ORDINANCE TAX OR FEE BOND

\$10,000 for the payment of which will	, hereinafter called Principal and unto the City of Oneonta, Alabama, a municipal cor ill and truly to be made, we hereby bind ourselves, uns, jointly and severally, firm by the presents.	poration, in the sum of our heirs, executors,
and approval of the City Council with renewal, maintenance, transfer or allo Oneonta, Alabama, a bond conditione said City under the terms of its Licens	owever, that WHEREAS , as one of the conditions prespect to the issuance of an alcoholic beverage likely owance of a privilege license, the Principal is required to promptly pay to said City all such amounts as see Ordinance or any amendment thereto, and any of Alabama for any license fee, privilege tax or excise the date of the bond.	cense, or to the granting, red to deliver to the City of are required to be paid to other amount which may
laws and ordinances of the City of Onto said City of Oneonta, Alabama, all	of the obligation is such, that if the Principal shall fa neonta now in force, or that may hereafter be adop such amounts as may become due as required und nome null and void; otherwise, to remain in full force	oted and will promptly pay der the terms of the above
Manager of the City of Oneonta or the notice to the City of Oneonta and this remaining liable, however, subject to	may be cancelled by providing notice through Cert e designated representative. This notice shall prov s bond shall be deemed cancelled at the expiration all the terms, conditions and provisions of this bor mitted by the Principal up to the date of such cance	vide for thirty (30) days of said 30 days; the Sure ad, for any acts covered b
	orincipal and the said Surety have hereunto set the day of, 20_	ir hands and seals at
Principal	(Seal) Surety	(Seal)
DV.	(Cool) Pu	Title



CITY OF ONEONTA ALCOHOLIC BEVERAGE LICENSE APPLICATION APPLICANT CHECKLIST

THE FOLLOWING LISTED ITEMS ARE TO BE INCLUDED BY ALL APPLICANTS AS ATTACHMENTS TO THE ALCOHOLIC BEVERAGE LICENSE APPLICATION:

- 1. ZONING VERIFICATION FORM from the Building/Zoning Department
- 2. ACKNOWLEDGEMENT of receipt of Application and payment of application fees (Form 1)
- 3. COPIES OF THE LEASE OR SUBLEASE FOR THE BUSINESS LOCATION. This can be a proposed lease, with an executed lease to be submitted at a later date.
- 4. ARTICLES OF INCORPORATION / PARTNERSHIP AGREEMENT.
- 5. CERTIFICATION FROM BUILDING INSPECTOR (Form 2)
- 6. CERTIFICATION FROM FIRE MARSHAL (Form 3)
- 7. HEALTH DEPARTMENT CERTIFICATION, if applicable
- 8. CRIMINAL BACKGROUND INVESTIGATION FORM(S) FOR ABI. (Must include separate cashier's check, money order or business check made payable to ABI) (Form ABI-46, available at: http://dps.alabama.gov/ABI/forms/ABI-46.pdf)
- 9. ALCOHOL LICENSE TAX BOND from an insurance company OR a Letter of Credit from your bank.



CITY OF ONEONTA ALCOHOL BEVERAGE LICENSING

ACKNOWLEDGEMENT

By signing below, I certify that I have had the requirements of Ordinance No. 1-11-2012, as amended, explained to me with reference to the \$200.00 filing fee.

I understand that if my application is denied, said application fees will not be refunded.

Proposed Licensee		
Business Name		
City Manager	 	
Date		



CITY OF ONEONTA ALCOHOL BEVERAGE LICENSING

Certification by City of Oneonta Building Inspector

NOTE: No inspections will be performed until classification of liquor sales type has been verified by the Alcohol Beverage Control (ABC) Board.

Date:	_
I hereby certify that	
doing business as	
does meet all the requirements of the Inter	national Building Code, current adopted edition, as prescribed by the
City of Oneonta, to operate	
in the City of Oneonta.	
	Building Inspector
Notes:	



CITY OF ONEONTA ALCOHOL BEVERAGE LICENSING

Certification by City of Oneonta Fire Marshal

NOTE: No inspections will be performed until classification of liquor sales type has been verified by the Alcohol Beverage Control (ABC) Board.

Date:	
hereby certify that	
doing business as	-
does meet all requirements of the International Fire Code, current adopted edition, as prescribed by the City of	
Oneonta, to operate	
n the City of Oneonta.	
Fire Marshal	
Notes:	
	_



CITY OF ONEONTA ALCOHOLIC BEVERAGE LICENSING

Verification of Zoning

Date:	
I hereby certify that the business located at	
	(Address)
doing business as(Legal name of business	-1
meets all the requirements of the City of On	eonta Zoning Ordinance, currently adopted edition,
as prescribed by the City of Oneonta, to ope	erate
, , ,	(Type of business)
in the City of Oneonta.	
Zor	ning Official
Zoning District:	
-	
Notes:	