

# Application for License to Sell Distilled Spirits, Wine, and Malt Beverages



Thank you for your interest in Jackson County, Georgia. This packet includes the necessary documents for applying for License to Sell Alcoholic Beverage to be heard by the Jackson County Board of Commissioners.

**PLEASE NOTE: ALL FEES ARE NON-REFUNDABLE.  
THERE ARE NO EXCEPTIONS.**

Should you need further assistance, please feel free to contact our office between 8:30AM and 4:30PM, Monday through Friday at (706) 367-5908

## General Applicant Check List

**Everything listed below must be submitted four weeks prior to BOC Meeting so the application can be processed.**

- \_\_\_ 1. Received Copy of the Jackson County *Ordinance to Control and Regulate the Sale of Distilled Spirits, Wine and Malt Beverages.*
- \_\_\_ 2. Professionally prepared Site Plan.
- \_\_\_ 3. Number of full time employees.
- \_\_\_ 4. Paved off-street parking facilities.
- \_\_\_ 5. Proper Zoning for the operation of the business.
- \_\_\_ 6. Current proof of property taxes paid.
- \_\_\_ 7. For a Class A-1 and A-2; 600 feet minimum distance measured by a Registered Land Surveyor, currently holding professional registration in the state of Georgia (may be included in the site plan) in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes.

For a Class B-1 and B-2; 600 feet minimum distance measured by a Registered Land Surveyor, currently holding professional registration in the state of Georgia (may be included in the site plan) in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes.

For a Class C-1; 600 feet minimum distance measured by a Registered Land Surveyor, currently holding professional registration in the state of Georgia (may be included in the site plan) in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes.

For a Class E-1 and E-2; 600 feet minimum distance measured by a Registered Land Surveyor, currently holding professional registration in the state of Georgia (may be included in the site plan) in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes.

- \_\_\_ 8. Valid and current Occupational Tax Certificate.
- \_\_\_ 9. Valid and current State of Georgia Alcohol License.
- \_\_\_ 10. The Business' Tax Returns for the previous two years.
- \_\_\_ 11. Copies of the Drivers Licenses for all employees, partners and corporate officer.
- \_\_\_ 12. \$500.00 non-refundable investigation fee. (Bank Certified Funds Only; Exact amount)
- \_\_\_ 13. Appropriate Licensing fees. Refundable if Licenses not issued. (Bank Certified Funds Only; Exact amount).

Approved Class(s) Description(s):

A-1 - sale of wine by the package, not for consumption on the premises.

A-2 - sale of malt beverage by the package, not for consumption on the premises.

B-1 - sale of wine by the drink, consumption on the premises only.

B-2 - sale of malt beverages by the drink, consumption on the premises only.

C-1 - sale of distilled spirits by the drink, consumption on the premises only.

D-1- sale of wine by the drink, by a licensed caterer for consumption on the premises only.

D-2- sale of malt beverage by the drink, by a licensed caterer for consumption on the premises only.

D-3- sale of distilled spirits by the drink, by a licensed caterer for consumption on the premises only.

E-1- sale of wine at wholesale to other wholesale or retail dealers.

E-2- sale of malt beverages at wholesale to other wholesale dealers or retail dealers.

F-1 - Sunday sale of wine by the package, not for consumption on the premises.

F-2 - Sunday sale of malt beverages by the package, not for consumption on the premises.

G-1 - Sunday sale of wine by the drink for consumption on the premises only.

G-2 - Sunday sale of malt beverages by the drink for consumption on the premises only.

H-1 - Sunday sale of distilled spirits by the drink for consumption on the premises only.

I-1 - Sunday sale of wine by the drink by a licensed caterer for consumption on the premises only.

I-2 - Sunday sale of malt beverages by the drink by a licensed caterer for consumption on the premises only.

I-3 - Sunday sale of distilled spirits by the drink, by a licensed caterer for consumption on the premises only.

J-1 - Sunday sale of wine at wholesale to other wholesale or retail dealers.

J-2 - Sunday sale of malt beverages at wholesale to other wholesale or retail dealers.

- \_\_\_\_\_ 14. All applicants for a Class B-1, Class B-2, Class C-1, Class D-1, Class D-2 or Class D-3 license must provide evidence that at least one person in the employ of the applicant, who is in a supervisory capacity and is on duty, has completed an alcohol service training course. Such course may be reviewed and approved by the Board.
- \_\_\_\_\_ 15. E-Verify Private Employer Exemption Affidavit or E-Verify Private Employer Affidavit. (See attached.)
- \_\_\_\_\_ 16. SAVE (Systematic Alien Verification for Entitlements) Affidavit. (See attached.)
- \_\_\_\_\_ 17. Criminal Background Check. Go online to [www.ga.cogentid.com](http://www.ga.cogentid.com). (See attached.)

**General Instructions and Conditions  
for Applying for License to Sell Alcoholic Beverages  
Jackson County, Georgia**

1. Application Completion:

- a. Answer fully and correctly each question.
- b. Do Not Use Initials, spell out each name.
- c. Type or legibly hand print all answers.
- d. If the space provided is not sufficient, answer the questions on a separate sheet and indicate in the space provided that a separate sheet is attached.
- e. Failure to complete the application may result in the denial or if granted, the later revocation of a license.

2. Required fees:

- a. All fees must be submitted at the time of application.
- b. The investigation fee of \$500.00 is not refundable.
- c. Fees must be tendered in the form of bank certified funds.

3. License Non-transferable: Please report any change in the ownership, management, or other status of the licensed operation which would change any answer on the original application to the Jackson County Planning Department within thirty (30) days from the time of such change.

4. Proof of State License: Within thirty (30) days of the issuance of the establishment's initial Jackson County Wine and/or Malt beverage License, the Licensee must provide a copy of the State License Application, as submitted to the Georgia Department of Revenue, to the Jackson County Planning Department. The Licensee must provide a copy of the State Alcohol License to the Jackson County Planning Department within ninety (90) days of the issuance of the establishments initial Jackson County Wine and/or Malt Beverage License. Failure to comply will initiate procedures for the suspension of said license.

5. Distances: A current certified plat from a registered surveyor is required to confirm the distance measurements must accompany the application. Please refer to item 7 on the above checklist regarding proper measurement of distances.

6. Zoning: No License shall be issued except for locations in zones as authorized by the current Jackson County Unified Development Code, as amended from time to time.

7. State and Federal Regulations:

- a. A State of Georgia License is also required before alcohol can be sold. Please contact the Georgia Department of Revenue for their requirements, fees, and application at: [www.dor.ga.gov](http://www.dor.ga.gov). Phone: (404) 417-4490.
- b. Please contact The Federal Alcohol, Tobacco, and Firearms Licensing Department for their requirements, fees, and application at [www.atf.gov](http://www.atf.gov). Phone: (404)-417-2649.

8. Ordinance Copy: As part of the application, you will receive a copy of the Jackson County Ordinance to Control and Regulate the Sale of Wine and Malt Beverages. Please read it and retain it for your records.

9. Financial Records: Please provide copies of the tax returns for the previous two (2) years for the individual, partnership or corporation, as appropriate.

10. Identification: Information requested concerning race and age identification of applicants, corporations and stockholders are for investigative purposes only.

11. Allow a thirty (30) day period for application processing. You will be notified at least two weeks in advance of the Board of Commissioner's hearing on the license.

**Application for License to Sell Alcoholic Beverage  
Jackson County, Georgia**

The undersigned hereby applies to Jackson County, Georgia for a license to sell alcoholic beverages in Jackson County. A non-refundable five-hundred dollar (\$500.00) certified check or cash payable to Jackson County must be tendered with the application for investigation fee.

1. **Business Trade Name:** \_\_\_\_\_

2. **Applicant's Name:** \_\_\_\_\_  
(Name of individual, partnership, or corporation)

3. **Business Location Address:** \_\_\_\_\_

4. **Business Mailing Address:** \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

5. **Local Telephone Number:** (\_\_\_\_\_) \_\_\_\_\_

Home Office Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

6. **Contact Name for Business:** \_\_\_\_\_

Telephone Number for Contact Person: (\_\_\_\_\_) \_\_\_\_\_

7. **Name of Agent:** \_\_\_\_\_

Telephone Number for Contact Agent: (\_\_\_\_\_) \_\_\_\_\_

**8. Purpose of Application is: (Check all that apply)**

- First time Applicant  
 New Business  
 New Owner -- Previous Owners Name: \_\_\_\_\_  
 Address Change -- Previous Address: \_\_\_\_\_  
 License Class Change  
 Other -- Please Describe: \_\_\_\_\_

**9. Calculation of Basic Fees**

Classification	License Fee	(Check All That Apply)
Class A-1 Retail Package Wine – not for on premise consumption.	\$ 500.00	<input type="checkbox"/>
Class A-2 Retail Package Beer – not for on premise consumption.	\$ 500.00	<input type="checkbox"/>
Class B-1 Restaurant – Wine by the drink, on premise consumption only.	\$ 500.00	<input type="checkbox"/>
Class B-2 Restaurant – Malt beverages by the drink, on premise consumption only.	\$ 500.00	<input type="checkbox"/>
Class C-1 Restaurant – Distilled spirits by the drink, on premise consumption only.	\$2,000.00	<input type="checkbox"/>
Class D-1 Caterer- Wine by the drink, on premise consumption only.	\$ 500.00	<input type="checkbox"/>
Class D-2 Caterer- Malt beverage by the drink, on premise consumption only.	\$ 500.00	<input type="checkbox"/>
Class D-3 Caterer – Distilled spirits by the drink, on premise consumption only.	\$2,000.00	<input type="checkbox"/>
Class E-1 Wholesale- Wine wholesale to other wholesale or retail dealers.	\$1,000.00	<input type="checkbox"/>
Class E-2 Wholesaler – Malt beverages to other wholesale or retail dealers.	\$1,000.00	<input type="checkbox"/>
Class F-1 Sunday Sales – Retail Package Wine – not for on premise consumption.	\$ 100.00	<input type="checkbox"/>
Class F-2 Sunday Sales – Retail Package Beer – not for on premise consumption.	\$ 100.00	<input type="checkbox"/>
Class G-1 Sunday Sales – Restaurant – Wine by the drink on premise consumption only.	\$ 100.00	<input type="checkbox"/>
Class G-2 Sunday Sales – Restaurant - Malt beverages by the drink on premise consumption only.	\$ 100.00	<input type="checkbox"/>

- Class H-1 Sunday Sales – Restaurant – Distilled spirits by the drink, on premise consumption only. \$ 100.00
- Class I-1 Sunday Sales – Caterer – Wine by the drink, on premise consumption only. \$ 100.00
- Class I-2 Sunday Sales – Caterer – Malt beverage by the drink, on premise consumption only. \$ 100.00
- Class I-3 Sunday Sales – Caterer - Distilled spirits by the drink, on premise consumption only. \$ 100.00
- Class J-1 Sunday Sales – Wholesaler – Wine wholesale to other wholesale or retail dealers. \$ 100.00
- Class J-2 Sunday Sales –Wholesaler – Malt beverages to other wholesale or retail dealers. \$ 100.00

Total Annual Fees: \$ \_\_\_\_\_  
 Partial Year Calculation if Applicable: \$ \_\_\_\_\_

10. Type of business: (check one)  Individual  Corporation  Partnership  LLC

Complete Either sections 11; 12 and 13; and/or 14-17 below.

11. If Applicant is an Individual: fill in the information below.

Full Legal Name \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

12. If applicant is a Limited Partnership or LLC: fill in the formation below.

Name of Limited Partnership, LLC: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

13. Partnerships:

Name of Partnership: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Individual Partners: fill in information below for each partner (Please attach additional sheets if necessary)

Full Legal Name: \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
 Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**14. If Applicant is a Corporation: Attach a copy of the articles of incorporation.**

Name of Corporation: \_\_\_\_\_  
Home Office Address: \_\_\_\_\_  
Mailing Address if Different: \_\_\_\_\_  
Date of Incorporation: \_\_\_\_\_  
Place of Incorporation: \_\_\_\_\_

**15. Corporate Officers (Please attach additional sheets if necessary):**

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

**16. Stockholders (If Different from Officers Names) (Please attach additional sheets if necessary):**

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

**17. Trustees:**

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

Full Legal Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
% Stock Owned: \_\_\_\_\_ Office Held: \_\_\_\_\_

**18. State name and address of owner of the property (land and building where business will be located).**

Full Legal Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**19. Is the property where the business is located rented or leased?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, state name of lessor or landlord and address.

Full Legal Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**20. Is there anyone connected with this business that is not a legal resident of the United States?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide full details on a separate sheet.

If there is anyone connected with this business that is not a United States Citizen, can they legally be employed in the United States.

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain on a separate sheet and submit copies of eligibility.

**21. Is there anyone connected with this business that has been convicted of a felony or a crime involving moral turpitude, or convicted of violation(s) of the ordinance of the county governing alcoholic beverage licensed hereunder within a five (5) year period, or the violation of any state or federal laws pertaining to the manufacture, possession, transportation or sale of malt beverage or wine, or the taxability thereof, or gambling within the last five (5) years prior to the filing of said application?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide full details on a separate sheet, include dates, charges and disposition.

**22. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last three (3) year period?**

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide full details on a separate sheet.

**AFFIDAVIT OF APPLICATION CONTENTS, RECEIPT/REVIEW OF ORDINANCE**

I, \_\_\_\_\_, solemnly swear, subject to the penalties for false swearing as provided under Georgia Law, all information required in this applications and supporting documents for a license to sell alcoholic beverages in Jackson County, Georgia is true and correct to the best of my knowledge and I fully understand that any false information may cause the denial or revocation of said license. I have received and read a copy of the Jackson County Alcohol Ordinance.

\_\_\_\_\_  
Print full name as signed below

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (seal)

I, \_\_\_\_\_, have received and have read a copy of the Jackson County Ordinance to Control and Regulate the Sale of Wine and Malt Beverages.

\_\_\_\_\_  
Print full name as signed below

\_\_\_\_\_  
Signature and date of agent for corporation (individual who does in fact have managerial, supervisory authority over the business conducted on the licensed premises).

Sworn to and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (seal)



**E-Verify Private Employer Exemption Affidavit  
Pursuant to O.C.G.A. § 36-60-6 (d)**

**\*\*This form is required by Georgia State Law\*\***

Date: \_\_\_\_\_

Alcohol License # \_\_\_\_\_

Business Name \_\_\_\_\_

Number of Employees (including owner/employer) \_\_\_\_\_

By executing this affidavit, the undersigned private employer verifies that it is exempt from compliance with O.C.G.A. § 36-60-6, stating affirmatively that the individual, firm or corporation employs fewer than eleven employees and therefore, is not required to register with and/or utilize the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-90

**I hereby declare under penalty of perjury that the above statement is true and correct**

\_\_\_\_\_  
Signature of Exempt Private Employer

\_\_\_\_\_  
Printed Name of Exempt Private Employer

Subscribed and Sworn Before Me On This The \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_:

in \_\_\_\_\_ (County) State of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires:

(Seal)

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.



**E-Verify Private Employer Affidavit**  
**Pursuant to O.C.G.A. § 36-60-6 (d)**  
**\*\*This form is required by Georgia State Law\*\***

Date: \_\_\_\_\_

Alcohol License # \_\_\_\_\_

Business Name \_\_\_\_\_

By executing this affidavit, under oath, as an applicant for an Alcohol License Certificate as referenced in O.C.G.A. § 36-60-6 (d), from Jackson County, Georgia, the undersigned private employer verifies that one of the following pertains to the above mentioned document. Please check one of the following:

\_\_\_\_\_ The above individual, firm, or corporation employed five hundred (500) or more employees for the below signed year.

\_\_\_\_\_ The above individual, firm, or corporation employed one hundred (100) or more but less than five hundred (500) employees for the below signed year.

\_\_\_\_\_ The above individual, firm, or corporation employed eleven (11) or more, but less than one hundred (100) employees for the below signed year.

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 Use Identification Number (not your FEIN 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 as allowed by such criminal statute.

Executed on the \_\_\_\_\_ date of \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_ (County) State of \_\_\_\_\_.

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

Subscribed and Sworn Before Me On This The \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_:

in \_\_\_\_\_ (County) State of \_\_\_\_\_:

\_\_\_\_\_  
Notary Public  
(Seal)

\_\_\_\_\_  
My Commission Expires:



**SAVE (Systematic Alien Verification for Entitlements) Affidavit  
Affidavit Pursuant to O.C.G.A § 50-36-1(e)(2)**

By executing this affidavit under oath pursuant to O.C.G.A. §50-36-1(e), as an applicant for the Jackson County Alcohol License Certificate for:

Alcohol License # \_\_\_\_\_

Owner's Name \_\_\_\_\_

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

Business Telephone Number \_\_\_\_\_

**Select one of the following:**

1. \_\_\_\_\_ I am a United States citizen.
2. \_\_\_\_\_ I am a legal permanent resident 18 years of age or older or I am otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act and currently 18 years of age or older and lawfully present in the United States.

Alien Registration number for non-citizens: \_\_\_\_\_ (required)

A front and back copy of one of the following documents must be attached:

- a) Valid Foreign Passport with (I-94), or
- b) Temporary Resident Card (I-688), or
- c) Employment Authorization Card (I-766 or I-688A), or
- d) Employment Authorization Document (I-688B), or
- e) Refugee Travel Document (I-571)

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 this affidavit shall be guilty of a violation of Code Section §16-10-20 of the Official Code of Georgia and face criminal penalties as allowed by such criminal statute.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_:

\_\_\_\_\_  
Notary Public

My Commission Expires:

(Seal)

\*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: \_\_\_\_\_



## DEPARTMENT OF PUBLIC DEVELOPMENT

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### GAPS (Georgia Applicant Processing Service) for Alcohol License Fingerprint-Based Criminal History Record Check

Online Registration is available 24/7 at [www.ga.cogentid.com](http://www.ga.cogentid.com). During the registration process, data about the applicant will be collected such as name, address, SSN, date of birth, etc. The applicant must register online with Cogent Systems **prior** to going to the fingerprint site. There will be no data collection or registration at the fingerprint sites. ***The applicant will need to get a State of Georgia and FBI criminal background check.*** Once you have completed the registration process put in [www.ga.cogentid.com](http://www.ga.cogentid.com). and click on "Find a Fingerprint Location" that will give you the location and hours of operation. LOCATIONS AND HOURS OF OPERATION FOR FINGERPRINTING SITES MAY CHANGE. APPLICANTS ARE ENCOURAGED TO REVIEW THE GAPS WEB SITE OFTEN. Also, check with the fingerprint location of your choice to see what they accept in the form of payment, if you do not have a credit or debit card. If you have any questions, you can call the Cogent Services at 1-888-439-2512 or you can contact Kathy Holloway, Jackson Co. Public Development Dept., at 706-367-7366.

### **To start the registration process go to [www.ga.cogentid.com](http://www.ga.cogentid.com).**

1. Click on "Georgia Applicant Processing Service". You are now on the page that reads "Welcome to the Georgia Applicant Processing Service for fingerprint background requests". Then scroll to the bottom of the page and double click on Applicant Registration. (see attached)
2. Now, you are on the page that reads "To register for a background check, please select one of the options below:" Scroll over to the third column and then scroll down three and double click on City/County Government and Law Enforcement Agencies. (see attached)
3. Now, you are on the page that reads "City/County Government and Law Enforcement Agencies". Then, double click on Alcohol and Liquor License. (see attached)
4. Now, you are on the page that reads "Non-Criminal Justice Applicant's Privacy Rights". Then, read the material and check the box that states you have read and accepted these terms. Then, click on continue. (see attached)



## DEPARTMENT OF PUBLIC DEVELOPMENT

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5. Now, you are on the page that reads "Application Registration". Fill out the highlighted yellow lines on the application. On the top line of the application it ask for the Reviewing Agency ID # and it is **GA923009Z**. (see attached)
6. **Once you have completed the registration application you will be given a Registration ID Number. The Registration ID number will be needed by the applicant when they go to the GAPS Print Location to get their fingerprints taken. In addition to the Registration ID number, the applicant will also be asked to present identification documents(such as State issued Driver's License with Photograph or US Passport with Photograph, etc.) prior to fingerprinting. At the GAPS site the Cogent Systems requires current, valid, and unexpired picture identification documents. A list of approved Identification Documents are attached.**
7. Receipts for successfully completed submittals are available at the GAPS Website([www.ga.cogentid.com](http://www.ga.cogentid.com).) under "Print Registration Receipt". You will need your Registration ID number and date of birth or your name and date of birth to access your registration receipt.
8. **PLEASE NOTIFY KATHY HOLLOWAY BY PHONE OR EMAIL AS SOON AS YOUR FINGERPRINTING HAS BEEN COMPLETED WITH EACH APPLICANTS NAME, SO THAT SHE CAN PRINT OUT EACH APPLICANTS BACKGROUND CHECK RESULTS.**

Thank you,

Kathy Holloway  
Jackson Co. Public Development Dept.  
67 Athens Street  
Jefferson, GA 30549  
706-367-7366  
[kholloway@jacksoncountygov.com](mailto:kholloway@jacksoncountygov.com)



www.ga.cogentid.com

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About 1,980 results (0.29 seconds)

Georgia Applicant Processing Service

www.ga.cogentid.com/

Georgia Applicant Processing Service ... A new "pop-up" window will now appear and redirect users from www.cogentid.com to aps.3m.com. The new 3M URL ...

Find A Fingerprint Location
GAPS Fingerprint Site and Hours.
Click a numbered region below ...

Cogent Fingerprint Region 3
Cogent Fingerprint Region 3.
Company, City, State, County ...

GAPS
Please refer to Procedures for Using
GAPS on the GAPS main ...

Check Registration Status
Check Registration Status. Find
Registration By Reg ID and ...

Print Registration Receipt
Print Registration Receipt. Find
Registration By Reg ID and ...

3M Cogent Georgia Applica...
GEORGIA STATE-ONLY
BACKGROUND CHECKS ...

The Georgia Applicant ...
Georgia Applicant Processing
Service ... are then forwarded ...

Overview of the Georgia ...
How do I register for a Georgia ...
How do I get another copy of ...

GAPS Program Description
See Purchase Description. ...
number may participate in ...

Abundle Of Care
SITE INFORMATION. Primary
Service Location Address ...

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GAPS - Georgia Applicant Processing Service | Georgia ...
https://gbi.georgia.gov/georgia-applicant... Georgia Bureau of Investigation
Visit the Cogent Systems website at www.ga.cogentid.com for complete details on
the GAPS background check process, office locations, and to register your ...

ga.Cogentid.com
20tag.com/ex/57r0m5ye75oyhy5.html
The Georgia Crime Information ... For online Applicant may use the on-line Georgia ...
Processing GAPS (GAPS)(www.ga.cogentid.com). Service ...

[PDF] fingerprinting requirements - Georgia.gov
https://online.dds.ga.gov/onlineservices/chauffeur/FingerPrint.pdf
All persons applying with the Georgia Department of Driver Services (DDS) to
become ... Go to the following website: http://www.ga.cogentid.com/index.htm.

[PDF] 1. Log on to: http://www.ga.cogentid.com/index.htm 2 ...
nhacareers.com/wp-content/.../Cogent-Fingerprinting-Instructions.pdf
1. Log on to: http://www.ga.cogentid.com/index.htm. 2. Choose "Single Applicant
Registrations" option. 3. Enter all fields highlighted in yellow ...

GA Cogentid
Ad www.alhea.com/GA+Cogentid
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GA.cogentid.com
Ad www.wow.com/GA.cogentid.com
Search for GA.cogentid.com Look Up Quick Results Now!



### Applicant Fingerprinting Online Services



#### Helpful Links

- Find a Fingerprint Location
- Modify Existing Registration
- General Existing Registration
- Request Registration Receipt
- Request Fingerprint Submission Receipt
- Registration Policy
- How to Submitting Cards
- General Inquiry

## Welcome to the Georgia Applicant Processing Service for fingerprint background requests

Electronic submission of fingerprint images will involve the use of a 3M Cogent Livescan machine. The Livescan captures fingerprint images and demographic data and submits this information to GBI. GBI conducts a search of its criminal history records using the fingerprint images. In some cases, these images are also forwarded to the FBI where a Federal Criminal History Record search is also conducted. Notifications of the search results are then forwarded from the GBI/FBI to 3M Cogent where these results are then electronically disseminated to the Georgia company or agency that requested the search to be completed.

[Applicant Registration](#)

[GAPS Agency Login](#)

[Become a Requesting Agency](#)

Please Note: Beginning June 17, 2015, 3M's commonly used registration link will be changed. A new "popup" window will now appear and redirect users from [www.cogent.com/gaps/online](http://www.cogent.com/gaps/online). The new 3M URL contains increased security, and users will experience no change in how registration processing takes place.

Individual registration for a background check



Applicant Fingerprinting Online Services



> To register for a background check, please select one of the options below:

 GEORGIA COURT SERVICES (CS)	 DEPARTMENT OF EARLY CARE & LEARNING (DECAL)	 EDUCATION AGENCIES (EA)
 DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES (DBHDD)	 SECRETARY OF STATE (SOS)	 GEORGIA STATE-ONLY BACKGROUND CHECKS (GABC)
 DEPARTMENT OF COMMUNITY HEALTH (DCH)	 DEPARTMENT OF DRIVER SERVICES (DDS)	 CITY/COUNTY GOVERNMENT AND LAW ENFORCEMENT AGENCIES (CCGC)
 DEPARTMENT OF PUBLIC HEALTH (DPH)	 REAL ESTATE COMMISSION APPRAISERS BOARD (RECAP)	 DEPARTMENT OF BANKING AND FINANCE (DBF)
 OFFICE OF INSURANCE SAFETY FIRE COMMISSIONER (OIC)	 DEPARTMENT OF HUMAN SERVICES (DHS)	 GEORGIA BUREAU OF INVESTIGATION (GBI)
 DEPARTMENT OF JUVENILE JUSTICE (DJJ)	 GEORGIA VOCATIONAL REHABILITATION AGENCY	 DEPARTMENT OF DEFENSE
<p>Close</p>		



Applicant Fingerprinting Online Services



**City/County Government and Law Enforcement Agencies**



To register for a background check, please select one of the options below:

**ALCOHOL AND  
LIQUOR LICENSE**

**COURTS**

**FIREFIGHTER**

**LAW ENFORCEMENT  
AGENCIES**

**LOCAL COUNTY  
HEALTH DISTRICTS**

**ORDINANCES**

**Back**



Applicant Fingerprinting Online Services



### Non-Criminal Justice Applicant's Privacy Rights

As an applicant who is the subject of a state and/or national fingerprint-based criminal history record check for a noncriminal justice purpose (such as an application for a job or license, an immigration or naturalization matter, security clearance, or adoption), you have certain rights which are discussed below.

You must be provided written notification that your fingerprints will be used to check the criminal history records of the Georgia Crime Information Center (GCIC) and the FBI when a federal record check is so authorized.

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 that the procedures for obtaining a change, correction, or updating of your criminal history record set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34.

If you have a 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.

You have the right to expect the agency receiving the results of the

I have read and accepted these terms. [Print](#) | [Download](#)

Cancel

Continue



Applicant Fingerprinting Online Services



**Applicant Registration**  
**Step 1 - Please Enter Your Information**

**Transaction Information**

Reviewing Agency ID:	GA923009Z	Reason:	SELECT
Requesting Agency ID:		Position Applied for:	
Payment:	Credit Card	Fingerprint Card User:	<input type="checkbox"/> By Checking this box, you are agreeing to submit ink cards to 3M Cogent. See <a href="#">here</a> for details

**Personal Information**

Last Name:		First Name:	
Middle Name:		Suffix:	SELECT
Social Security #:		Re-enter SSN:	
Date of Birth:		Weight:	
Sex:	SELECT	Race:	SELECT
Eye Color:	SELECT	Hair Color:	SELECT
Height:	SELECT	Place of Birth:	SELECT
Country of Citizenship:	SELECT	State Driver's License:	SELECT
Driver's License #:			

**Address Information**

Address:		Address 2:	
City:		APT:	
State:	SELECT	Zip:	
Phone #:		Email:	

Reset

Continue

**Note:** \* Fields in yellow are required.

Please note that fingerprinting hours may be different than open store hours. Be sure to confirm that the location is fingerprinting before heading down.

# COGENT SYSTEMS

## **COGENT SYSTEMS IDENTITY VERIFICATION PROCEDURES**

Cogent Systems requires current, valid and unexpired picture identification documents. As a primary form of picture identification one of the following will be accepted at the GAPS Print Locations:

### **Primary Documents**

- State Issued Driver's License with Photograph
- State Issued Identification Card with Photograph
- US Passport with Photograph
- US Active Duty/Retiree/Reservist Military ID Card (000 10-2) with Photograph
- Government Issued Employee Identification Card with Photograph (includes Federal, State, County, City, etc.)
- Tribal Identification Card with Photograph

However, in the absence of one of the above Primary identifications, applicants may provide one or more of the following Secondary Documents, along with two of the supporting documents listed below:

### **Secondary Documents:**

- State Government Issued Certificate of Birth
- Social Security Card
- Certificate of Citizenship (N560)
- Certificate of Naturalization (N550)
- INS I-551 Resident Alien Card Issued since 1997
- NS 1-688 Temporary Resident Identification Card
- INS I-688B, I-766 Employment Authorization Card

**Secondary Documentation must be supported by at least two of the following:**

- Utility Bill (Address)
- Voter Registration Card
- Vehicle Registration Card/Title
- Paycheck Stub with Name/Address
- Cancelled Check or Bank Statement



### SITE INFORMATION

Primary Service Location Address	<b>The UPS Store 3778</b> 196 Alps Rd Athens, GA 30606
Hours of Operations	Monday – Friday: 9:30am to 6:00pm Saturday: 11:00am to 3:00pm Sunday: Closed  <b><u>Fingerprinting hours for the month of December 2014</u></b> <b>Monday through Friday 9:30am to 3:00pm</b> <b>Saturday 11:00am to 3:00pm</b>  Please do not overwhelm the service by sending large groups of applicants to the locations. <b>If you have a large group of applicants to fingerprint, please contact the fingerprint site and plan for their arrival to occur over days and weeks, not hours.</b> The fingerprint site may have a preferred method for handling large groups of applicants.
Telephone Number (Applicant Use)	706-208-1870  Please see <a href="http://www.ga.cogentid.com">www.ga.cogentid.com</a> or the web site listed below for information pertaining to fingerprint processing and results. This fingerprint site <b>DOES NOT</b> have the means to provide applicants the status of their background check.
Web Site (Service Site Specific)	
Schedule a Mobile Fingerprinting	No
Currently Scheduled Mobile Fingerprinting Service	None
Directions to your facility	<a href="#">Map It</a>
Special Instructions for Applicants	
Additional Information	

## SITE INFORMATION

Primary Service Location Address	<b>The UPS Store #4611</b> 7380 Spout Spring Road Ste 210 Flowery Branch, GA 30542
Hours of Operations	Monday through Friday 10:00am to 6:00pm Saturdays 10:00am to 4:00pm Sundays Closed  Please do not overwhelm the service by sending large groups of applicants to the locations. <b>If you have a large group of applicants to fingerprint, please contact the fingerprint site and plan for their arrival to occur over days and weeks, not hours.</b> The fingerprint site may have a preferred method for handling large groups of applicants.
Telephone Number (Applicant Use)	678-288-7773  Please see <a href="http://www.ga.cogentid.com">www.ga.cogentid.com</a> or the web site listed below for information pertaining to fingerprint processing and results. This fingerprint site <b>DOES NOT</b> have the means to provide applicants the status of their background check.
Web Site (Service Site Specific)	
Schedule a Mobile Fingerprinting	
Directions to your facility	<a href="#">Map It</a> Intersection of Spout Springs Road and Lake Lanier Pkwy. Near Duncan Corners in Kroger Shopping Center.
Special Instructions for Applicants	<b>You MUST be registered for background check services before arriving at the location.</b>  <b>Arrange to pay prior to arriving for fingerprinting or bring a money order with you payable to 3M Cogent in the amount stated on the website. No cash or checks will be accepted on site.</b>
Additional Information	

## SITE INFORMATION

Primary Service Location Address	<b>AVITA Community Partners</b> 4331 Thurmon Tanner Parkway Flowery Branch, GA 30542
Hours of Operations	Monday through Friday 8:00am to 5:00pm  Please do not overwhelm the service by sending large groups of applicants to the locations. <b>If you have a large group of applicants to fingerprint, please contact the fingerprint site and plan for their arrival to occur over days and weeks, not hours.</b> The fingerprint site may have a preferred method for handling large groups of applicants.
Telephone Number (Applicant Use)	Please see <a href="http://www.ga.cogentid.com">www.ga.cogentid.com</a> or the web site listed below for information pertaining to fingerprint processing and results. This fingerprint site <b>DOES NOT</b> have the means to provide applicants the status of their background check.
Web Site (Service Site Specific)	
Schedule a Mobile Fingerprinting	
Directions to your facility	<a href="#">Map It</a>
Special Instructions for Applicants	<b>You MUST be registered for background check services before arriving at the location.</b>  <b>Arrange to pay prior to arriving for fingerprinting or bring a money order with you payable to 3M Cogent in the amount stated on the website. No cash or checks will be accepted on site.</b>
Additional Information	

Jackson County, Georgia, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 4 -  
 ALCOHOLIC BEVERAGES >> ARTICLE II. - DISTILLED SPIRITS, WINE AND MALT BEVERAGES >>

**ARTICLE II. - DISTILLED SPIRITS, WINE AND MALT BEVERAGES** (12)

Sec. 4-19. - Definitions.

Sec. 4-20. - Regulation of sales of distilled spirits, wine, and malt beverages.

Sec. 4-21. - Licensing requirement.

Sec. 4-22. - Standards for license.

Sec. 4-23. - No assignment of license.

Sec. 4-24. - Separate license for each location.

Sec. 4-25. - Licensee building plans.

Sec. 4-26. - Sale and delivery off-premises.

Sec. 4-27. - Restricted sales times.

Sec. 4-28. - Minimum age of consumption exceptions.

Sec. 4-29. - Sale to intoxicated persons.

Sec. 4-30. - Age of employees.

Sec. 4-31. - Annual fee.

Sec. 4-32. - Restrictions related to certain classes.

Sec. 4-33. - Inspection.

Sec. 4-34. - False statements.

Sec. 4-35. - No gambling.

Sec. 4-36. - Display of licenses.

Sec. 4-37. - Grounds for suspension or revocation of license.

Sec. 4-38. - Repealer.

Sec. 4-39. - Invalidity of part.

Sec. 4-40. - Excise taxes.

Sec. 4-41. - Penalties.

**Sec. 4-19. - Definitions.**

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

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

*Alcoholic beverage* means and includes all alcohol, distilled spirits, beer, malt beverages, wine, or fortified wine as defined in this section.

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

*License* means the authorization by the board to engage in the package sale or sale for consumption on the premises of distilled spirits, wine, and malt beverages.

*Licensed alcoholic beverage caterer* means any holder of a class D license issued under this chapter who derives at least 50 percent of its annual gross sales from the sale of meals or food prepared on the premises of the caterer by the caterer and who otherwise qualifies with the provisions set forth in O.C.G.A. Title 3, Chapter 11.

*Licensee*, under this article, [means] any entity which seeks to obtain the class of license, as defined in section 4-21, for the sale of distilled spirits, wine, or malt beverages must meet all of the following criteria:

- (1) *Class A-1 or A-2.*
  - a. Have a minimum of three full time employees;
  - b. Have a minimum of 15 paved off-street parking facilities;
  - c. Have a building or space therein for the reasonable use of its customers which it owns, hires or leases;
  - d. Have a minimum of 70 percent of the gross income of the licensee deriving from the sale of other retail merchandise or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated to avoid the terms of this provision. Any prices for retail merchandise which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.
  - e. Have a minimum distance, measured in a straight line from front door to front door by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility.
- (2) *Class B-1 or B-2.*
  - a. Have a minimum of three full-time employees;
  - b. Have a minimum of 50 paved off-street parking facilities;
  - c. Have a building or space therein for the reasonable use of its guests which it owns, hires or leases;
  - d. Have suitable kitchen and dining room space and equipment to serve meals or snacks for its guests; and
  - e. Have a minimum of 50 percent of the gross income of the licensee deriving from the sale of food stuffs, the use of its recreational facilities or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated to avoid the terms of this provision. The term "food stuffs" shall not include mixers or any other component of a wine or malt beverage. Any price for foodstuff or services which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.
  - f. Have a minimum distance, measured in a straight line from front door to front door by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility.
- (3) *Class C-1.*
  - a. Have a minimum of three full-time employees;
  - b. Have a minimum of 50 paved off-street parking facilities;
  - c.

- Have a building or space therein for the reasonable use of its guests which it owns, hires or leases;
- d. Have suitable kitchen and dining room space and equipment to serve meals or snacks for its guests; and
- [e.] Have a minimum of 50 percent of the gross income of the licensee deriving from the sale of food stuffs, the use of its recreational facilities or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated to avoid the terms of this provision. The term "food stuff" shall not include mixers or any other component of a distilled spirit, wine, or malt beverage. Any price for foodstuff or services which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.
- [f.] Have a minimum distance, measured in a straight line from front door to front door by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility.

*Premises* means the premises described in a license issued pursuant to this article.

*Malt beverage* means any alcoholic beverage obtained by the fermentation of an infusion or decoction of barley, malt, hops or any other similar 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. The term does not include sake, known as Japanese rice wine.

*Wholesale or wholesale dealer* means any person who sells alcoholic beverages to wholesale dealers, to retail package dealers or to retail consumption dealers.

*Wine* means any alcoholic beverage containing not more than 21 percent alcohol by volume made from fruit, berries or grapes either by natural fermentation or natural fermentation with brandy added. The term 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 does not include cooking wine mixed with salt or other ingredients so as to render it unfit for human consumption as a beverage.

Any term not defined herein shall have that definition established by the provisions of the Georgia Alcoholic Beverage Code (Title 3, O.C.G.A.)

(Ord. No. 09-04, § 1, 12-21-2009)

#### **Sec. 4-20. - Regulation of sales of distilled spirits, wine, and malt beverages.**

It shall be unlawful for any person to sell or offer to sell any distilled spirits, wine, or malt beverages without first complying with the rules and regulations set out in this article.

(Ord. No. 09-04, § 2, 12-21-2009)

#### **Sec. 4-21. - Licensing requirement.**

No distilled spirits, wine, or malt beverages shall be sold except under a license granted by the board to a licensee. Application to sell distilled spirits, wine, or malt beverages as set out herein below shall be made on forms provided by the board as follows:

- (1) *All licensees.*
  - a. For the remainder of the year 2009, applications will be considered anytime.
  - b. A license shall be valid only for the calendar year indicated thereon and no such license may be renewed. A licensee who desires to continue in business during the next or subsequent calendar year must make a new application for such year on or before November 1st of the preceding year.
  - c. Each applicant shall finish a complete set of fingerprints for each corporate officer and employee, if such employee is responsible for the management and operations of the applicant, which shall be forwarded to the Georgia Bureau of Investigation which shall search the files of the Georgia Crime Information Center for a period of two years immediately preceding the date of such application for any instance of criminal activity. The Georgia Bureau of Investigation shall also submit the fingerprints to the Federal Bureau of Investigation under rules established by the United States Department of Justice for processing and identification of records. The federal records, if any, shall be obtained and returned to the board considering such application.
  - d. A notice of each application shall be advertised in the official gazette of the county once a week for two weeks immediately preceding the meeting of the board at which the application is to be acted upon. At least 15 days prior to the public hearing, the applicant shall post a sign or signs provided by public development stating the date, time and place for the scheduled board of commissioner's public hearing, and the nature of the proposed license. One such sign shall be placed in a conspicuous location along each street frontage of the property for which the license has been requested. The property has no street frontage, the sign shall be placed on each street from which access will be gained to the property.
  - e. Any applicant for a license must show, to the satisfaction of the board, financial responsibility. Financial statements must be submitted with each completed application as prescribed by the board.
- (2) *Class A-1.* A Class A-1 license shall be required for the sale of wine by the package, not for consumption on the premises.
- (3) *Class A-2.* A Class A-2 license shall be required for the sale of malt beverages by the package, not for consumption on the premises.
- (4) *Class B-1.* A Class B-1 license shall be required for the sale of wine by the drink for consumption on the premises only.
- (5) *Class B-2.* A Class B-2 license shall be required for the sale of malt beverages by the drink for consumption on the premises only.
- (6) *Class C-1.* A Class C-1 license shall be required for the sale of distilled spirits by the drink for consumption on the premises only.
- (7) *Class D-1.* A Class D-1 license shall be required for the sale of wine by the drink, by a licensed caterer for consumption on the premises only.
- (8) *Class D-2.* A Class D-2 license shall be required for the sale of malt beverages by the drink, by a licensed caterer for consumption on the premises only.
- (9) *Class D-3.* A Class D-3 license shall be required for the sale of distilled spirits by the drink, by a licensed caterer for consumption on the premises only.
- (10) *Class E-1.* A Class E-1 license shall be required for the sale of wine at wholesale to other wholesale or retail dealers.

- (11) *Class E-2.* A Class E-2 license shall be required for the sale of malt beverages at wholesale to other wholesale dealers or retail dealers.

(Ord. No. 09-04, § 3, 12-21-2009)

#### **Sec. 4-22. - Standards for license.**

The following standards shall be applied to all decisions pertaining to the issuance or denial of licenses hereunder.

- (1) All applicants for a license must be of good business reputation, and all operators, managers, clerks, or other employees, or corporate officers shall be of good character.
- (2) No license shall be granted to an applicant, a corporate officer of which has been convicted under any federal, state, or county law for a criminal offense involving distilled spirits, wine, or malt beverages, gambling, or tax law violations, if such conviction tends to indicate that the applicant would not maintain the operation for which a license is being sought in conformity with federal, state or county laws.
- (3) A license application may be denied to any applicant where it appears that the applicant would not have ownership, control and direction of the operation of the licensee, or where it appears that the applicant is intended to be a mere surrogate for a person or persons who would not otherwise qualify for a license for any reason whatsoever.
- (4) The board, in its discretion, may consider any extenuating circumstances which may reflect favorably or unfavorably on the applicant, application or the location of the licensee. If in their judgment, circumstances are such that the granting of the license would not be in the best interest of the general public, such circumstance may be grounds for denying the application.
- (5) All applicants for a Class B-1, Class B-2, or Class C-1 license must provide evidence that at least one person in the employ of the applicant, who is in a supervisory capacity and is on duty, has completed an alcohol service training course. Such course may be reviewed and approved by the board.
- (6) No license shall be issued to any applicant unless the premises is in compliance with all Jackson County ordinances, including, without limitation, any ordinances dealing with building safety or zoning.

(Ord. No. 09-04, § 4, 12-21-2009)

#### **Sec. 4-23. - No assignment of license.**

No license shall be transferable or assignable to any person or other location, and in the event that a licensed entity is sold or closed, it shall be the duty of the licensee to immediately surrender its license to the board.

(Ord. No. 09-04, § 5, 12-21-2009)

#### **Sec. 4-24. - Separate license for each location.**

A separate license shall be required for each location of the licensee where distilled spirits, wine, or malt beverages are to be sold.

(Ord. No. 09-04, § 6, 12-21-2009)

**Sec. 4-25. - Licensee building plans.**

No license for a Class A, B, or C license shall be issued to any person unless the building in which distilled spirits, wine or malt beverages will be served as complete and detailed plans of said building and outside premises are attached to the application. The completed building or the proposed building shall comply with ordinances of Jackson County, regulations of the state revenue commissioner, and the laws of the State of Georgia. Each building in which the distilled spirits, wine, or malt beverages will be served shall contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times, so as to reveal all of the outside of said building. Each applicant for a license shall attach to its application evidence of ownership of the building or a copy of the lease if the applicant is leasing the building. All premises for which a Class B-1, Class B-2, or Class C-1 license shall be issued shall afford therein adequate sanitary toilet facilities and shall be adequately illuminated so that all hallways, passage ways and open areas may be clearly seen by their guests.

*(Ord. No. 09-04, § 7, 12-21-2009)*

**Sec. 4-26. - Sale and delivery off-premises.**

No licensee holding a Class A, B, C, or D license shall sell or deliver any distilled spirits, wine, or malt beverage to any person except on the premises as described in the application.

*(Ord. No. 09-04, § 8, 12-21-2009)*

**Sec. 4-27. - Restricted sales times.**

No licensee shall furnish, sell or offer for sale any distilled spirits, wine, or malt beverages at any of the following times:

- (1) At any time on Sundays;
- (2) At any time in violation of a local ordinance, regulation or special order of the board; or
- (3) Between midnight and 7:00 a.m. of the following day for Class A-1 and A-2, and between midnight and 12:00 p.m. of the following day for Class B-1, B-2, and C-1.

*(Ord. No. 09-04, § 9, 12-21-2009)*

**Sec. 4-28. - Minimum age of consumption exceptions.**

- (a) *Definitions.* 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:

*Proper Identification:*

- (1) The term "proper identification" means any document issued by a governmental agency containing a description of the person, such person's photograph, or both, and giving such person's date of birth, including, but not limited to, a passport, military identification card, driver's license, or identification card authorized under an Act to require the state department of public safety to issue identification cards to handicapped persons who do not have a motor vehicle driver's license.
  - (2) The term "proper identification" does not include a birth certificate.
- (b) *Safe to person under 21 years of age prohibited.* No licensee or employee of same shall knowingly furnish, sell or offer to sell any distilled spirits, wine, or malt beverages to a person

under 21 years of age. This prohibition shall not apply with respect to the sale of distilled spirits, wine, or malt beverages to a person when such person has furnished proper identification showing that the person to whom the distilled spirits, wine, or malt beverages are being sold is 21 years of age or older.

(Ord. No. 09-04, § 10, 12-21-2009)

#### **Sec. 4-29. - Sale to intoxicated persons.**

No licensee hereunder shall furnish, sell or offer to sell any distilled spirits, wine, or malt beverages to any person who is noticeably intoxicated.

(Ord. No. 09-04, § 11, 12-21-2009)

#### **Sec. 4-30. - Age of employees.**

No licensee hereunder shall employ, require or permit a person under 18 years of age to sell packaged wine or malt beverage or take orders and serve any distilled spirits, wine, or malt beverages. No licensee hereunder shall employ, require, or permit a person under 21 years of age to bartend or pour any distilled spirits, wine, or malt beverages, or take orders for any distilled spirits, wine, or malt beverages.

(Ord. No. 09-04, § 12, 12-21-2009)

#### **Sec. 4-31. - Annual fee.**

The annual fee for licenses shall be as follows:

- (1) Class A-1: \$500.00
- (2) Class A-2: \$500.00
- (3) Class B-1: \$500.00
- (4) Class B-2: \$500.00
- (5) Class C-1: \$2,000.00
- (6) Class D-1: \$500.00
- (7) Class D-2: \$500.00
- (8) Class D-3: \$2,000.00
- (9) Class E-1: \$1,000.00
- (10) Class E-2: \$1,000.00

and shall be paid prior to the issuance of any license. The annual fee shall accompany the application and shall be either in cash or a bank certified check and will be refunded if the license is not issued. Additionally, a nonrefundable investigative fee in the amount of the greater of the actual costs of the investigation or \$500.00 shall be charged. The amount of any fee set out hereunder may be changed upon resolution of the board.

(Ord. No. 09-04, § 13, 12-21-2009)

#### **Sec. 4-32. - Restrictions related to certain classes.**

(a) *Requirements for licensed caterers.*

- (1) It shall be unlawful for any person to engage in, carry on, or conduct a sale or distribution of alcoholic beverages off-premises and in connection with a catered

- event or function or to any location not licensed hereunder without first having obtained a caterer's license as provided herein.
- (2) A licensed alcoholic beverage caterer may sell only that type of alcohol which is authorized by its alcoholic beverage license.
  - (3) Sunday sales. Sunday sales are prohibited.
  - (4) A licensed alcoholic beverage caterer must comply with all local ordinances except for section 4-26 of this article.
  - (5) A licensed alcoholic beverage caterer must comply with O.C.G.A. § 3-11-3, Event Permits for Catered Functions.
- (b) *Wholesale licenses.* Consumption on the premises of any alcoholic beverage of a wholesale dealer is prohibited.
- (c) *Excise taxes.* In addition to all other taxes and license fees imposed upon retail dealers engaged in the county in the business of selling malt beverages and wines as defined under the laws of the state, there is an imposed levy among all dealers described in this section within the unincorporated area of the county an excise tax to be computed and collected as set forth in this section.
- (1) The excise taxes on malt beverages and wine shall be that amount set forth in the schedule of excise taxes on file in the board of commissioner's office and the business office.
  - (2) Computation, payment. The tax imposed in the section shall be computable and payable monthly. Each wholesale dealer selling, shipping or delivering malt beverages or wine to any retail dealer in the unincorporated area of the county shall as a condition to the privilege of carrying on the business: (a) keep true and correct records of all sales, shipments, or deliveries of such alcoholic beverages to any retail dealer in the unincorporated area of the county for a period of one year, and such records are to be made available upon request from a duly authorized representative of the county (b) collect from each said retail dealer in the unincorporated area of the county at the time of delivery of the malt beverage or wine the amount of tax due under the terms of this section and to hold such amount in trust for the county until such amounts are remitted to the county as provided in this section.
  - (3) Except as provided in O.C.G.A. § 3-5-81 or other applicable state law, on or before the 20th day of each calendar month, make a verified, and comprehensive report to the county business license office which shall correctly show all sales and deliveries of malt beverages and wine to or for retail dealers in the unincorporated area of the county for the month preceding such report. Such report shall show the name and address of each retail dealer, the quantities delivered to each retail dealer the amount collected under the terms of this section and such other information as may be called for by the county. This report shall be accompanied by remittance by the county for all taxes collected or due as shown on the report.
  - (4) Noncompliance by wholesale dealer. If any wholesale dealer fails to or refuses to make the report provided for in this section the county shall notify the party in writing, and if the reports are not made and the taxes remitted within five days from the date of the notice, the county may revoke the wholesale dealers license. In addition, such wholesale dealer may pay a late payment charge of ten percent per month for each month delinquency together with interest on the total amount due including the late payment fee equal to one percent per month.

**Sec. 4-33. - Inspection.**

The premises of the holder of a license for the sale of distilled spirits, wine, or malt beverages shall be open to inspection at any and all times by officers or officials authorized to conduct such inspections by the county, state or federal authorities.

*(Ord. No. 09-04, § 15, 12-21-2009)*

**Sec. 4-34. - False statements.**

The making of any statement on an application for a license which shall be later found to be false shall constitute grounds for revocation of said license.

*(Ord. No. 09-04, § 16, 12-21-2009)*

**Sec. 4-35. - No gambling.**

Except for the State of Georgia lottery, there shall be no gambling, betting, games of chance, punchboards, vending machines, slot machines, pinball machines, lotteries or tickets or chances therein or the operation of any schemes of hazarding money or any other thing of value in any licensee's place of business or in any room adjoining the same, owned, leased or controlled by licensee, and any violation of this section shall be cause for suspension or revocation of the license.

*(Ord. No. 09-04, § 17, 12-21-2009)*

**Sec. 4-36. - Display of licenses.**

Licenses under this article shall be displayed prominently at all times on the premises for which same was issued.

*(Ord. No. 09-04, § 18, 12-21-2009)*

**Sec. 4-37. - Grounds for suspension or revocation of license.**

No person shall engage in the sale of distilled spirits, wine, or malt beverages in the county without first complying with the rules and requirements set out in this article. Any license issued hereunder shall be subject to suspension or revocation upon any of the following grounds:

- (1) The making of any false statement either in or in connection with the application for a license issued hereunder, which shall be later found to be false;
- (2) All licenses issued hereunder are conditioned upon faithful compliance with the rules and regulations set out in this article, and the laws and regulations of the United States and the State of Georgia and the ordinances of Jackson County;
- (3) Whenever it can be shown that a licensee hereunder no longer maintains adequate financial responsibility upon which issuance of the license was conditioned, or whenever the licensee has defaulted in any obligation, of any kind whatsoever, lawfully owing to the county;
- (4) Suspension or revocation of any applicable state license shall automatically operate to suspend or revoke any license issued hereunder;
- (5) Failure to conform to the definition of a licensee; or
- (6) For any other legal and sufficient cause.

Any action taken by the board to suspend or revoke a license issued hereunder, shall not preclude, and may be in addition to, any criminal prosecution by a proper authority as provided by the laws and ordinances of the county, the State of Georgia, or the United States. Whenever any action is taken by the board to suspend or revoke any license issued hereunder, the board shall provide written notice to the licensee of the action taken and state the reasons therefor. The licensee shall have 15 days following notification of such action to request a hearing before the board. The licensee shall be entitled at such hearing to present evidence and cross examine opposing witnesses.

*(Ord. No. 09-04, § 19, 12-21-2009)*

#### **Sec. 4-38. - Repealer.**

All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

*(Ord. No. 09-04, § 20, 12-21-2009)*

#### **Sec. 4-39. - Invalidity of part.**

Should any sentence, section, subsection or provision of this article be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of this article as a whole nor any part thereof that is not specifically declared to be invalid or unconstitutional.

*(Ord. No. 09-04, § 21, 12-21-2009)*

#### **Sec. 4-40. - Excise taxes.**

The county shall charge the maximum excise tax allowable, as amended from time to time by the provisions of the Georgia Alcoholic Beverage Code.

*(Ord. No. 09-04, § 22, 12-21-2009)*

#### **Sec. 4-41. - Penalties.**

Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of this article shall be punished by a fine of not more than \$1,000.00 or by imprisonment for not more than 60 days or by both such fine and imprisonment. Each violation of a section or subsection of this article shall be considered a separate violation.

*(Ord. No. 09-04, § 23, 12-21-2009)*

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#### **FOOTNOTE(S):**

<sup>(12)</sup> *Editor's note— Ord. No. 09-04, §§ 1—23, adopted Dec. 21, 2009, amended Art. II and restated the article to read as set out herein. Former Art. II, §§ 4-19—4-36 pertained to similar subject matter and derived from an ordinance adopted Feb. 20, 2006, §§ 1—12, 14—18, 21; and an ordinance adopted Sept 11, 2006, §§ 1—12, 14—18. (Back)*

**ORDINANCE NO: ORD-12-004**

AN ORDINANCE ADOPTING AND ENACTING A REVISED CODE FOR JACKSON COUNTY, GEORGIA FOR THE PURPOSE OF ESTABLISHING TERMS AND CONDITIONS FOR THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAYS AS AUTHORIZED BY THE CITIZENS OF JACKSON COUNTY UPON THE REFERENDUM HELD JULY 31, 2012.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS:

Section 1: Authority

Section 2: Amendment to Chapter 4, Section 4-21 of the Code of Jackson County

Section 3: Amendment to Chapter 4, Section 4-25 of the Code of Jackson County

Section 4: Amendment to Chapter 4, Section 4-25 of the Code of Jackson County

Section 5: Amendment to Chapter 4, Section 4-27 of the Code of Jackson County

Section 6: Amendment to Chapter 4, Section 4-31 of the Code of Jackson County

Section 7: Amendment to Chapter 4, Section 4-32 of the Code of Jackson County

Section 8: Penalty for violation

**Section 1.** The Jackson County Board of Commissioners does now exercise its authority as granted by Georgia Law O.C.G.A. § 3-3-7 to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink and to permit and regulate Sunday package sales by retailers of both malt beverages and wine.

**Section 2.** Chapter 4, Section 4-21 (Licensing Requirement), Subsection (1)a. is hereby amended to add the following after the first sentence in said Subsection:

For the remainder of the year 2012, Class F, Class G, Class H, Class I and Class J applications by existing license holders will be considered anytime. Any person holding an existing Class A, B, C, D or E license for 2012 who has not had a violation of the terms of said license(s) and this ordinance, and who has not had a change of ownership or corporate

officer(s) who were the applicants on the current license, or supervisory personnel holding alcohol service training certificates as required by Section 4-25(5) may make application for a Class F, G, H, I or J license without complying with Section 4-21(1)c., (1)d., or (1)e., or Section 4-25.

Section 3. Chapter 4, Section 4-21 (Licensing Requirement) is further amended to add the following classes of licenses:

- (11) *Class F-1.* A Class F-1 license shall be required for the sale on Sunday of wine by the package, not for consumption on the premises.
- (12) *Class F-2.* A Class F-2 license shall be required for the sale on Sunday of malt beverages by the package, not for consumption on the premises.
- (13) *Class G-1.* A Class G-1 license shall be required for the sale on Sunday of wine by the drink for consumption on the premises only.
- (14) *Class G-2.* A Class G-2 license shall be required for the sale on Sunday of malt beverages by the drink for consumption on the premises only.
- (15) *Class H-1.* A Class H-1 license shall be required for the sale on Sunday of distilled spirits by the drink for consumption on the premises only.
- (16) *Class I-1.* A Class I-1 license shall be required for the sale on Sunday of wine by the drink by a licensed caterer for consumption on the premises only.
- (17) *Class I-2.* A Class I-2 license shall be required for the sale on Sunday of malt beverages by the drink, by a licensed caterer for consumption on the premises only.
- (18) *Class I-3.* A Class I-3 license shall be required for the sale on Sunday of distilled spirits by the drink, by a licensed caterer for consumption on the premises only.

- (19) *Class J-1.* A Class J-1 license shall be required for the sale on Sunday of wine at wholesale to other wholesale or retail dealers.
- (20) *Class J-2.* A Class J-2 license shall be required for the sale on Sunday of malt beverages at wholesale to other wholesale dealers or retail dealers.

**Section 4.** Chapter 4, Section 4-25. (Licensee building plans) is hereby amended to state the following:

No Class A, B, C, F, G or H license shall be issued to any person unless the building in which distilled spirits, wine or malt beverages will be served has complete and detailed plans of said building and outside premises and are attached to the application. The completed building or the proposed building shall comply with ordinances of Jackson County, regulations of the state revenue commissioner, and the laws of the State of Georgia. Each building in which the distilled spirits, wine, or malt beverages will be served shall contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times, so as to reveal all of the outside of said building. Each applicant for a license shall attach to its application evidence of ownership of the building or a copy of the lease if the applicant is leasing the building. All premises for which a Class B-1, Class B-2, or Class C-1 license shall be issued shall afford therein adequate sanitary toilet facilities and shall be adequately illuminated so that all hallways, passage ways and open areas may be clearly seen by their guests.

**Section 5.** Chapter 4, Section 4-27 (Restricted Sales Times) is hereby amended to state the following:

No Licensee shall furnish, sell or offer for sale any distilled spirits, wine, or malt beverages at any of the following times:

- (1) On Sunday, except between the hours of 12:30 p.m. and 11:30 p.m. if the licensee has properly obtained a Class F, Class G, Class H, Class I or Class J license;
- (2) At any time in violation of a local ordinance, regulation or special order of the board; or
- (3) On all days except Sunday, between midnight and 7:00 a.m. for Class A-1 and A-2, and between midnight and 12:00 p.m. for Class B-1, B-2, and C-1.

**Section 6.** Chapter 4, Section 4-31 (Annual Fee) is hereby amended to add the following, with all other provisions thereof to remain unchanged:

- (11) Class F-1: \$ 100.00
- (12) Class F-2: \$ 100.00
- (13) Class G-1: \$ 100.00
- (14) Class G-2: \$ 100.00
- (15) Class H-1: \$ 100.00
- (16) Class I-1: \$ 100.00
- (17) Class I-2: \$ 100.00
- (18) Class I-3: \$ 100.00
- (19) Class J-1: \$ 100.00
- (20) Class J-2: \$ 100.00

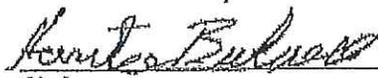
**Section 7.** Chapter 4, Section 4-32 (Restrictions Related to Certain Classes), subsection (a)(3) is hereby amended to state the following, with all other subsections of Section 4-32 to remain unchanged:

- (3) **Sunday Sales.** A Sunday Sales License by the Drink is required for Sunday sales of alcoholic beverages by a licensed alcoholic beverage caterer.

**Section 8. Penalty for violation.**

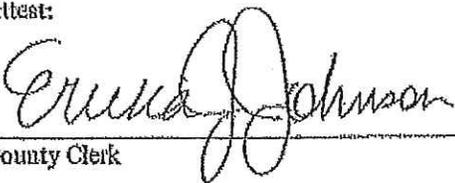
Any person violating any provision of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in Section 1-12 of the Jackson County Code of Ordinances. Such persons shall be guilty of a separate offense for each and every day during which any violation of any provision of this article is committed, continued, or permitted by that person and shall be punished accordingly.

Passed and adopted by the Jackson County Board of Commissioners this 20<sup>th</sup> day of August, 2012.

  
\_\_\_\_\_  
Chairman

SEAL

Attest:

  
\_\_\_\_\_  
County Clerk

JAK:ves/WM/137

**JACKSON COUNTY, GEORGIA  
ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE  
BY THE BOARD OF COMMISSIONERS  
OF JACKSON COUNTY**

An Ordinance of Jackson County, Georgia to modify regulations regarding measurement of distances regarding licenses for the sale of alcoholic beverages; to modify regulations regarding renewal of licenses for the sale of alcoholic beverages; to provide for severability; to repeal conflicting ordinances; and for other purposes.

**WHEREAS**, the Constitution of the State of Georgia, approved by the voters of the State in November of 1982, and effective July 1, 1983, provides in Article IX, Section II, Paragraph I thereof, that the governing authority of the County may adopt clearly reasonable ordinances, resolutions, and regulations; and

**WHEREAS**, O.C.G.A. § 36-1-20 authorizes counties to enact ordinances for protecting and preserving the public health, safety, and welfare of the population of the unincorporated areas of the County; and

**WHEREAS**, the Board of Commissioners desires to modify regulations regarding measurement of distances and renewal of licenses for the sale of alcoholic beverages, as set forth herein.

**NOW THEREFORE**, be it resolved and ordained by the Board of Commissioners of Jackson County, Georgia, and it is hereby resolved and ordained by the authority of same as follows:

**Section 1**

That Chapter 4, Alcoholic Beverages, Article II, Distilled Spirits, Wine and Malt Beverages, Section 4-19, the definition of the defined term "Licensee," of The Code of Jackson County, Georgia is amended to read as follows:

**"Section 4-19 Definitions.**

*Licensee*, under this Article, means any entity which seeks to obtain the class of license, as defined in section 4-21, for the sale of distilled spirits, wine, or malt beverages must meet all of the following criteria:

(1) *Class A-1 or A-2.*

- a. Have a minimum of three full time employees;
- b. Have a minimum of 15 paved off-street parking facilities;
- c. Have a building or space therein for the reasonable use of its customers which it owns, hires or leases;
- d. Have a minimum of 70 percent of the gross income of the licensee deriving from the sale of other retail merchandise or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated to avoid the terms of this provision. Any prices for retail merchandise which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.
- e. Have a minimum distance, measured by a registered land surveyor in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes ~~by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility.~~

(2) *Class B-1 or B-2.*

- a. Have a minimum of three full-time employees;
- b. Have a minimum of 50 paved off-street parking facilities;
- c. Have a building or space therein for the reasonable use of its guests which it owns, hires or leases;
- d. Have suitable kitchen and dining room space and equipment to serve meals or snacks for its guests; and
- e. Have a minimum of 50 percent of the gross income of the licensee deriving from the sale of food stuffs, the use of its recreational facilities or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated

to avoid the terms of this provision. The term "food stuffs" shall not include mixers or any other component of a wine or malt beverage. Any price for foodstuff or services which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.

f. Have a minimum distance, measured by a registered land surveyor in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes ~~by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility.~~

(3) *Class C-1.*

- a. Have a minimum of three full-time employees;
- b. Have a minimum of 50 paved off-street parking facilities;
- c. Have a building or space therein for the reasonable use of its guests which it owns, hires or leases;
- d. Have suitable kitchen and dining room space and equipment to serve meals or snacks for its guests; and
- e. Have a minimum of 50 percent of the gross income of the licensee deriving from the sale of food stuffs, the use of its recreational facilities or other similar sources relating directly to providing goods or services to those being served by the licensee's premises. The county reserves the right to analyze such income to determine if income is being allocated in a manner calculated to avoid the terms of this provision. The term "food stuff" shall not include mixers or any other component of a distilled spirit, wine, or malt beverage. Any price for foodstuff or services which is not a normal and reasonable charge shall be presumed to be an attempt to avoid the terms of this provision.
- f. Have a minimum distance, measured by a registered land surveyor in a straight line from the front door of the structure from which alcoholic beverages are sold or offered for sale to either: 1) the front door of the building of a church or government-owned treatment center; or 2) to the nearest property line of the real property being used for school or educational purposes ~~by a registered land surveyor, of 600 feet from any existing church, temple, or synagogue, or any government-operated school facility."~~

**Section 2**

That Chapter 4, Alcoholic Beverages, Article II, Distilled Spirits, Wine and Malt Beverages, Section 4-21 of The Code of Jackson County, Georgia is amended to read as follows:

**"Section 4-21 Licensing Requirements.**

No distilled spirits, wine, or malt beverages shall be sold except under a license granted by the board, after notice and a public hearing as provided herein, or by public development to a licensee. Application to sell distilled spirits, wine, or malt beverages as set out herein below shall be made on forms provided by the board as follows:

(1) *All licensees.*

(d)(I) Regarding all new applications, including applications for previously licensed locations regarding which no license is currently in effect, a notice of each application shall be advertised in the official gazette of the county once a week for two weeks immediately preceding the meeting of the board at which the application is to be acted upon. At least 15 days prior to the public hearing, the applicant shall post a sign or signs provided by public development stating the date, time and place for the scheduled board of commissioners' public hearing, and the nature of the proposed license. One such sign shall be placed in a conspicuous location along each street frontage of the property for which the license has been requested. If the property has no street frontage, the sign shall be placed on each street from which access will be gained to the property.

(d)(II) Regarding all applications for locations holding a license currently in effect, public development shall review such applications and, upon determining that any such application conforms to the requirements of this Chapter, issue the new license.

(e) Any applicant for a license must show, to the satisfaction of the board or public development, as applicable, financial responsibility. Financial statements must be submitted with each completed application as prescribed by the board.

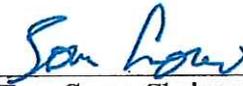
### Section 3. Severability

Should any section, subsection, clause, sentence, phrase, or part of this Ordinance for any reason be held, deemed, or construed to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions thereof and the Board of Commissioners hereby declares that it would have passed this Ordinance, each section, subsection, clause, sentence, phrase, and part thereof irrespective to the fact that one or more sections, subsections, clauses, sentences, phrases, or parts thereof, be declared unconstitutional or invalid.

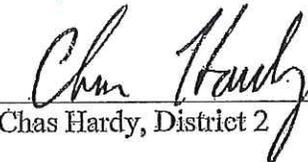
**Section 4. Effective Date and Repealer Provision**

This Ordinance shall become effective immediately upon its adoption and any and all existing or pre-existing Jackson County alcohol ordinances, amendments, and resolutions in conflict with the terms of this Ordinance are hereby repealed.

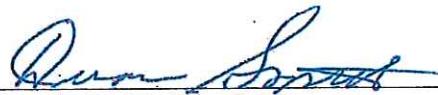
Adopted this 15<sup>th</sup> day of September, 2014.

  
\_\_\_\_\_  
Tom Crow, Chairman

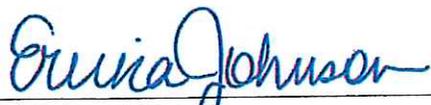
  
\_\_\_\_\_  
Jim Hix, District 1

  
\_\_\_\_\_  
Chas Hardy, District 2

\_\_\_\_\_  
Bruce Yates, District 3

  
\_\_\_\_\_  
Dwain Smith, District 4

Attest:

  
\_\_\_\_\_  
Clerk to the Board