



Alcoholic Beverage License Application

City of Berkeley Lake
4040 S Berkeley Lake Rd.
Berkeley Lake, GA 30096
770-368-9484

LICENSE INFORMATION

(Check one)

NEW

CHANGE OF OWNERSHIP

RENEWAL

(Check one)

RETAIL/PACKAGE

CONSUMPTION ON THE PREMISES

WHOLESALER

CATERER

INCIDENTAL CONSUMPTION ON PREMISES

(Check all that apply)

Malt Beverage

Wine

Distilled Spirits

Brew Pub (on premise)

BUSINESS INFORMATION

Business type:

a. Restaurant

b. Liquor/Package Store

c. Food Store

d. Caterer

e. Convenience Store

f. Other

Specify: _____

Business Name: _____ d/b/a (if applicable): _____

Business Phone #: _____ Mobile Phone #: _____ Fax #: _____

Contact Email Address: _____ Name of Manager: _____

Business Address: _____

Mailing Address (if different): _____

Business Ownership Type: Sole Owner Partnership * Corporation * §

Beginning Date of Business: in Berkeley Lake: _____ ; in Current Location: _____

OWNER INFORMATION

Name of Business Owner: _____ Federal Employee ID #: _____

Owner Address: _____

Home Phone: _____ Cell Phone: _____ Email: _____

Ga. State Sales Tax Number: _____ Driver's License No./State _____ / _____ Expiration Date: _____

* Note: Corporations and partnerships must provide on a separate sheet of paper the names of all officers or partners, their titles, and mailing addresses.

§ Note: Corporations must provide the names of all shareholders holding more than 20 percent of any class of corporate stock, or any other entity having a financial interest in the business applying for a license.

FOR LICENSE RENEWALS ONLY - Consumption on Premises and Incidental Consumption on Premises

Gross Sales for previous year = \$ _____ Gross Sales from prepared meals/food = \$ _____

Gross Sales from alcohol products = \$ _____ Gross sales from all other products = \$ _____

CERTIFICATION

The undersigned hereby certifies that he/she is the _____ of _____ (Authorized Representative) and is authorized to sign this application. The undersigned further certifies that: _____ (Name of Business)

The City of Berkeley Lake Alcoholic Beverage Ordinance has been read and understood and a copy will be maintained on the premises, and each and every employee will be required to be familiar with said regulations;

All laws, rules and regulations of the United States of Georgia and of the City of Berkeley Lake, now enforced or which may hereafter be promulgated or enacted, regulating and governing the sale of alcoholic beverages will be complied with; and

Any license issued shall cover the period of one year commencing the first day of January and expiring December 31, and that no license shall be assignable or transferrable, nor shall the holder thereof be entitled to a rebate of the license fee or any portion thereof by reason of the revocation of said license, or for any other reason.

I further understand that I am liable to penalties of the law (both fine and imprisonment) should any false or fraudulent statement or representation be made in connection with this application.

I solemnly swear that the facts stated in the above and foregoing application for a license in the City of Berkeley Lake, Georgia, are true and correct.

Applicant Signature: _____ Date: ____/____/____

Print Name: _____ Business Title: _____

Applicant Address: _____

Sworn to and subscribed before me this

_____ day of _____, 20____.

Notary Public
My Commission Expires: _____

Type of Photographic ID: _____ (A copy of ID must be submitted with application)

All retail consumption dealers and retail dealers in this state who sell at retail any alcoholic beverages for consumption on the premises shall post, in a conspicuous place, a sign which clearly reads: "Warning: Drinking alcoholic beverages during pregnancy can cause birth defects."

REGISTERED AGENT

Name: _____

Day Phone#: _____

Address: _____

I, _____, do hereby consent to serve as the registered agent for the licensee, owners, officers and/or directors and to perform all obligations of such agency under the provisions of the Ordinances of Berkeley Lake, Georgia. (Every establishment holding an alcoholic beverage license in the City must have a registered agent and this person must be a resident of Gwinnett County, Georgia.)

This _____ day of _____, 20____.

Signature of Agent

Agent's Social Security Number

Type or Print Name of Agent

Birthdate

Agent's Home Address

City/State/Zip Code

APPROVED:

Signature of Licensee

Owner

Officer or Director (Title)

Officer or Director (Title)

PREMISES AND STRUCTURE FOR SUPERMARKET (GROCERY) OR CONVENIENCE STORE ONLY

1. Total floor area in square feet: _____
2. Total square feet devoted to sale of groceries and food products: _____
3. Number of parking spaces: _____
4. Number of parking spaces devoted to handicapped persons: _____
5. Is the establishment devoted principally to the retail sale of groceries and food products?
() Yes () No If no, please explain below:

PREMISES AND STRUCTURE FOR ON-PREMISE CONSUMPTION OR INCIDENTAL CLASSES ONLY

1. Number of square feet of total floor area: _____
2. Number of square feet devoted to dining area: _____
3. Total seating capacity (excluding bar area): _____
4. Number of parking spaces: _____
5. Number of parking spaces devoted to handicapped persons: _____
6. Days/hours that prepared meals or foods are served: _____
7. Does the facility have a full-service kitchen? () Yes () No
 - a. Does the kitchen have a three-compartment sink? () Yes () No
 - b. Is the refrigerator approved by both the Health and Fire Departments? () Yes () No
 - c. Are the stove and/or grill permanently installed and approved by Health and Fire? () Yes () No
8. What percentage of your sales will be food? _____

If the answer to any of the above questions is no, please explain:

BUSINESS PREMISES AND STRUCTURE (ALL)

1. What is the zoning at this location? _____
2. Lighting: Does the building in which the business is to be located contain sufficient lighting so that the building itself and the premises on all sides of the building are readily visible at all times from the front of the street on which the building is located as to reveal all of the outside premises of such building? () Yes () No

Is the building illuminated so that all hallways, passageways and open areas may be clearly seen by the customer therein? () Yes () No

If the answer is "no" to either, please explain proposed methods to rectify the insufficient lighting:

3. Attach copies of the following information as it applies to this application:
- a. A certificate by a registered land surveyor or professional engineer showing that the location complies with the distance requirement from churches and schools.
 - b. Evidence of ownership or tenancy of the building or proposed building, i.e. copy of deed and lease, if applicable.
 - c. A copy of the franchise agreement or contract, if applicable.
 - d. A copy of the menu(s) if applicant is an eating establishment - *eating establishment* means any public place selling prepared food for consumption by the public on the premises, with a full kitchen (a “full-service kitchen” will consist of a three-compartment pot sink, a stove or grill permanently installed, and refrigerator, all of which must be approved by the health and fire departments), prepared to serve food every hour they are open and deriving at least as much gross receipts annually from the sale of prepared meals or food as it derives from the sale of alcoholic beverages.
 - e. Plans:
 - i. If the building is COMPLETE, copies of detailed plans of said building and outside premises as well as a copy of the floor plan.
 - ii. If the building is PROPOSED, copies of proposed plans and specifications as well as the building permit application.
 - f. A copy of the Health Department approval, Health Permit and Fire Marshal approval.
4. For on-premise consumption or incidental on-premise, do you have patio sales? () Yes () No

PERSONAL HISTORY

Instructions: Please make additional copies of this section for each owner, partner, officer, manager or stockholder having greater than 20 percent share of the business. This application must be typed or printed legibly and executed under oath. Each question must be fully answered. If the space provided is insufficient, answer on a separate sheet and indicate in the space provided that a separate sheet is attached.

Full Name: _____
Last First Middle

Address: _____

Phone: _____ Cell Phone: _____

Fax #: _____ Email: _____

Sex: _____ Race: _____ Hair Color: _____ Eye Color: _____

Date of Birth: _____ Place of Birth: _____

Check one: U.S. Citizen Legal Alien Other: _____

Check one: Single Married Widowed Divorced

If married: Name of spouse _____ Age _____ Place of birth _____

Other names used by applicant: maiden name, names by former marriages, former names changed legally or otherwise, aliases, nicknames, etc. Specify which, show dates used:

Complete the following regarding children and stepchildren:

Full Name	Address	Age	Place of Birth
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

List all places of residence for the past four (4) years. (List the most recent first).

From:	To:	Address:	City/State/Zip:
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

PERSONAL HISTORY (CONT'D.)

Employment record for the past four (4) years. (List the most recent experience first).

From:	To:	Employer:	Title:	Salary:	Reason for Leaving:
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Relationship with this Business:

- Sole Owner
- Director
- Registered Agent
- Manager
- Principal Stockholder
- Partner: General Limited Silent
- Officer: _____
- Employee: _____

Percentage of ownership or interest, if any: _____

Method and amount of compensation, if any (directly or indirectly): _____

Do you have any financial interest, or are you employed in any other wholesale or retail business engaged in distilling, bottling, rectifying or selling alcoholic beverages? Yes No

Have you ever had a financial interest in an alcoholic beverage business that was denied a license? Yes No

If yes, please describe: _____

Has any alcoholic beverage business in which you have been related to in any way (had financial interest in or been employed by, either currently or in the past) ever been cited for any violation of the rules and regulations of the state revenue commissioner relating to the sale and distribution of alcoholic beverages? Yes No

If yes, please describe: _____

Have you bought and sold any alcoholic beverages in the last ten months? Yes No

If yes, describe date, license number, persons and considerations involved: _____

Has a commercial security company ever denied you a bond? Yes No If yes, please explain:

PERSONAL HISTORY (CONT'D.)

Have you ever been arrested or held by federal, state or other law-enforcement authorities for violation of any federal law, state law, county or municipal law, regulations or ordinances? All charges, except traffic violations, must be included even if they were dismissed. () Yes () No

If yes, give reason charged or held, date, place where charged and disposition. (If no arrest, please write no arrest. After last arrest is listed, please write no other arrest.)

Reason Charged	Date	Place where charged	Disposition
_____	_____	_____	_____
_____	_____	_____	_____

Are you a registered voter? () Yes () No

List four (4) references (personal or business). Do not include relatives or fellow employees. Give complete address and phone number with area code. If giving a business reference, state the person's name to be contacted.

1. _____
2. _____
3. _____
4. _____

Have you had any license under the regulatory powers of the City of Berkeley Lake and/or Gwinnett County denied, suspended or revoked within two (2) years prior to filing this application? () Yes () No

If yes, please describe: _____

Attach photograph (front view) taken within the past year. Date of picture: _____

(Attach Photo Here)

STATEMENT OF PERSONAL HISTORY

Before signing this statement, check all answers and explanations to see that you have answered all questions fully and correctly. This statement is to be executed under oath and subject to the penalties of false swearing and it includes any additional attached sheets submitted herewith.

STATE OF GEORGIA, _____ COUNTY

I, _____, DO SOLEMNLY SWEAR, SUBJECT TO THE PENALTIES OF FALSE SWEARING, THAT THE STATEMENTS AND ANSWERS MADE BY ME AS THE APPLICANT IN THE FOREGOING PERSONAL STATEMENT ARE TRUE AND CORRECT.

Applicant's Printed Name

Applicant's Signature

I hereby certify that _____ signed his/ her name to the foregoing application stating to me that he/she knew and understood all statements and answers made therein, and, under oath actually administered by me has sworn that said statements and answers are true and correct.

THIS _____ DAY OF _____, 20_____.

Notary Public Signature

(Affix Seal Here)

My Commission Expires

SURVEYOR'S AFFIDAVIT – ALCOHOLIC BEVERAGE LICENSE

I, _____, a Georgia registered land surveyor, # _____

Do hereby certify that I am familiar with the premises:

Business Name and Location

and that it is in compliance with City of Berkeley Lake code sections set out below:

Section 6-4. Definitions

Distance means the measurement in linear feet of the most direct route of travel on the ground and shall be measured in the following manner:

- (1) From the main entrance of the establishment from which alcoholic beverages are sold or offered for sale;*
- (2) In a straight line, regardless of obstructions, to the nearest public sidewalk, walkway, street, road or highway by the nearest route;*
- (3) Along such public sidewalk, walkway, street, road or highway by the nearest route;*
- (4) To the main entrance of the church building, or to the nearest portion of the property occupied by a school, college campus, public library, public park or a private residence.*

Section 6-23. Distance from schools, churches, residences, etc.

- (a) No license permitting the sale of alcoholic beverages for consumption on the premises, including incidental, shall be issued hereunder where the place of business of the applicant is located within a distance of 150 feet of any church building, or within 300 feet of any school building, educational building, school grounds, or college campus. The term "school building" and "educational building" includes only those structures in which instruction is offered. The term "school grounds" and "college campus" shall apply only to the parcel or parcels of land on which a school, school building or educational building is located. The term "college" shall mean an educational institution authorized by the state to award associate, baccalaureate or higher degrees.*
- (b) No location which is licensed to sell alcoholic beverages for consumption on the premises on the effective date of this ordinance shall be denied continued operation under an existing license, or denied any renewal of such license, nor shall any new owner of said location be denied a new license based upon the measurements set forth in this section.*
- (c) For purposes of this section, distance shall be measured as defined in [section 6-4](#), Definitions.*
- (d) As to any location licensed in the future, if the distance requirements herein are met at the time of any license, the subsequent opening and operation of a church, school, or college within the distance prohibited herein shall not prevent the continuance of an existing license or the renewal thereof or the issuance of a new license to any subsequent owner of such property, provided, however, that the distance requirements herein shall not apply at any location for which a new license is applied for if the sale of alcoholic beverages was lawful at such location at any time during the 12 months immediately preceding such application.*

Section 6-48. Distance from schools, churches, residences, etc.

No license permitting the package sale of malt beverages or wine or both shall be issued for any proposed location which is:

- (1) Within a distance of 200 feet of any private residence unless such residence is located in a commercially zoned district;*
- (2) Within a distance of 200 feet of any church building;*
- (3) Within a distance of 200 feet of any public library or branch thereof;*
- (4) Within a distance of 200 feet of any public park;*
- (5) Within a distance of 500 feet of any school building, educational building, school grounds or college campus, or*
- (6) Within a distance of 100 feet of any business licensed to sell package malt beverages or wine or both pursuant to this article.*

Said distance for the purpose of this section shall be measured as defined in [Section 6-4](#), Definitions. Any location licensed to operate any of the businesses described in this section, where a different method of ascertaining distances was used, may continue to operate such business at its present location without committing a violation of this section. Any location licensed under this article may continue to operate any of the businesses described in this section in the event that any such private residence, public school, library, park or church is, subsequent to the date of the granting of the license for such premises, located closer than the distances set forth herein.

Section 6-68. Distance from schools, churches, residences, etc.

No license permitting the sale of package spirituous liquors shall be issued for any proposed location which is:

- (1) Within a distance of 200 feet of any private residence unless such residence is located in a commercial or industrial zoning district;
- (2) Within a distance of 300 feet of any church building;
- (3) Within a distance of 300 feet of any public library or branch thereof;
- (4) Within a distance of 300 feet of a public park;
- (5) Within a distance of 600 feet of any school building, educational building, school grounds or college campus; or
- (6) Within a distance of 1,500 feet of any business licensed to sell package spirituous liquors pursuant to this article.

Said distance for the purpose of this section shall be measured as defined in [section 6-4](#), Definitions. Any location licensed to operate any of the businesses described in this section, where a different method of ascertaining distances was used, may continue to operate such business at its present location without committing a violation of this section. Any location licensed under this article may continue to operate any of the businesses described in this section in the event that any such private residence, public school, library, park or church is, subsequent to the date of the granting of the license for such premises, located close than the distances set forth herein.

Section 6-90. Distance from schools, churches, residences, etc.

- (a) No license permitting the wholesale distribution of malt beverages or wine or both shall be issued for any proposed location to be located within the city which is within a distance of 300 feet of any school building, educational building, school grounds or college campus, or
- (b) No license permitting the wholesale distribution of spirituous liquors shall be issued for any proposed location to be located within the city which is:
 - (1) Within a distance of 300 feet of any church building; or
 - (2) Within a distance of 600 feet of any school, building, educational building, school grounds or college campus.
- (c) Said distance for the purposes of this section shall be measured as defined in [section 6-4](#), Definitions. Any location licensed to operate any of the businesses described in this section, where a different method of ascertaining distances was used, may continue to operate such business at its present location without committing a violation of this section. Any location licensed under this article may continue to operate any of the businesses described in this section in the event that any such private residence, public school, library, park or church is, subsequent to the date of the granting of the license for such premises, located closer than the distances set forth herein.

Signature and Seal of Surveyor

Sworn to and subscribed this _____

Day of _____ 20_____

Date

(Affix Seal Here)

Registration Number

Notary Public

Date of Expiration

Commission Expires