

CHECKLIST FOR BEER & WINE LICENSE LICENSURE

Required data on forms must be completed & filed with the Clerk of Newborn on or before December 15 of each Calendar year of your license.

- ☺ Blank Forms Furnished by Town of Newborn for First-time Applicants Check squares below when completed.
- ☺ Notarized Application Form
- ☺ License Application Form
- ☺ Consent Forms (2)
- ☺ Financial Guarantee Bond
- ☺ Quarterly Report Forms
- Fingerprinting, & Copy of NCIC & GCIC report
From Newton County Sheriff's Office
- Copy of Application for State License (Provided by Applicant)
(Download from WWW.ETAX.DOR.GA.GOV/)
- Evidence of Ownership of Building or Copy of Lease
(Applicant to furnish)
- Copy of CPA Affidavit Certifying Financial Responsibility

Payments – CASH / CERTIFIED CHECK / MONEY ORDER :

- \$50.00 Application Fee (first time) _____ (Sec 32-101 para 3 E)
- \$ 500.00 Package License Fee _____(Sec 32-101 para 4 A)
- \$ 300.00 Pouring License Fee _____(Sec. 32-101 para 34.)

I hereby certify that I have accounted for all forms required herein; all are satisfactorily completed and appropriate fees have been collected. Date _____

Clerk, Town of Newborn

Copy of Newborn Beer & Wine Sales Ordinances are available from Newborn Town Clerk for \$ 2.25

Town of Newborn

4224 Highway 142, P.O. Box 247
Newborn, Georgia 30056

APPLICATION FOR LICENSE FOR BEER AND WINE SALES

I, _____, am a potentially eligible applicant under the Town of Newborn, Georgia Malt Beverage and Wine Pouring Licenses regulations, a copy of which I have obtained and read and shall cause to be complied with all times.

As a package retailer

I make application below for a license for the sale of malt beverages and wine:

X For a Pouring License

as follows:

Name of proposed license holder: _____

Name of business: _____

Business street address: _____

I am a citizen of the United States, at least 25 years of age and have been a resident of the State of Georgia for at least one (1) year prior to the filing of this application. I shall be actively involved in the management and operation of the business for which the license is requested. If I am making this application as an agent for a corporation or LLC or other entity, I state that the corporation or LLC or other entity is eligible for such a license, and I am authorized to act on its behalf and bind it through my actions herein. I agree on behalf thereof that any license to sell malt beverages or wine is a privilege, and not a right.

I understand that a violation of any of the laws, ordinances, regulations or statutes of the State of Georgia and/or the Town of Newborn, Georgia, pertaining to the sale of malt beverages and/or wine may result in the suspension or revocation of the license. I further understand that the license can be revoked because of the violation of such law, statute, regulation or ordinance by any agent or employee of the business, including, but not limited to, the sale of beer or wine to a person under 21 years of age or on Sunday. I understand such offenses could lead to incarceration for up to six months.

I further agree to accept all communications at the above address from the Town of Newborn, Georgia, regarding this application and any malt beverage and wine license granted thereunder, and waive any right to notification at a different address.

Signature

Sworn to and subscribed before me, this _____ day of _____, 20____.

Notary Public, Town of Newborn

My commission expires _____

APPLICATION FOR LICENSE FOR BEER AND WINE SALES

Complete All Applicable Items Below

1. Business

- a. Legal Name _____
- b. Location Street Address _____
- c. Phone _____

2. Owner

- a. Legal Name _____
- b. Corporation or LLC Name (if applicable) _____
- c. Location Street Address _____
- d. Phone _____

3. Registered Agent (GEORGIA RESIDENCY REQUIRED)

- a. Legal Name _____
- b. Physical Location Street Address _____
- c. Phone _____

4. Type of Ownership (check one)

- Sole Owner
- Partnership
- Private Held Corporation
- Public Held Corporation
- Public Held Corporation subject to S.E.C. Regulations
- LLC
- Other, Explain: _____

5. For PARTNERSHIPS only:

- a. Date Partnership was formed: _____
- b. Attach partnership agreement.
- c. List all partners (attach additional sheet as necessary):

- 1). Legal Name _____ General
Social Security #s _____ Limited
Interest Investment Participation \$, % _____ Silent
Position/Title in Partnership: _____
- 2). Legal Name _____ General
Social Security #s _____ Limited
Interest Investment Participation \$, % _____ Silent
Position/Title in Partnership: _____
- 3). Legal Name _____ General
Social Security #s _____ Limited
Interest Investment Participation \$, % _____ Silent
Position/Title in Partnership: _____

6. For CORPORATION and LLC only:

- a. Date of Formation _____
- b. Place of Formation _____
- c. Parent Corporation or LLC (if applicable) _____
- d. Number of shares of Capital Stock Authorized _____
- e. Number of Shares or Outstanding Stock _____
- f. List all officers, directors, members, and/or principal shareholders with 20% or more of the stock or membership interest and list their Social Security Number, number of shares held, and office held (attach additional sheets if necessary):
 - 1). Legal Name _____
Social Security # _____
Interest % _____ Position _____
 - 2). Legal Name _____
Social Security # _____
Interest % _____ Position _____
 - 3). Legal Name _____
Social Security # _____
Interest % _____ Position _____
- g. Is the company owned by a parent company or held by a holding company? _____ If yes, explain

7. Financing

- a. Bank to be used by business, including branch:

- b. State total amount of capital that is or will be invested in the business: _____
- c. State total amount of capital invested by the owner: _____
- d. State total amount of capital invested by the parties other than the owner: _____
- e. If any capital is borrowed, indicate the name of the lender, date, amount, and interest rate:

- f. Attach financial statement

8. General Information

- a. Has owner and/or individual partner, member shareholder, director or officer:
 - 1. Any financial interest in any manufacture or wholesale of alcoholic beverage? _____
 - 2. Received any financial aid or assistance from any manufacture or alcoholic beverage? _____If yes to either of immediate foregoing, explain:

- b. List all other businesses engaged in the sale of malt beverages (beer) and wine that you the owner, or any individual, partner, member, shareholder, officer or director is interested in, employed by or associated with in any way whatsoever, or have been interested in, employee by, or associated with in the past. List name, name of business, and interest %.

9. Proof of ownership or lease interest. Attach proof that applicant is the owner or lessee of the business in the form of a fully executed and recorded deed or a copy of the lease.

10. No convictions. All applicants including shareholders/members of corporations/LLC's have not within the last ten years had any convictions or pleas of nolo contendere to/of a felony or a misdemeanor of moral turpitude.

11. Restaurant. Any restaurant shall be air conditioned and contain adequate and sanitary kitchen and dining room equipment and inside seating capacity for at least 40 people, and have employed a sufficient number and kind of employees to prepare, cook and serve suitable food for its patrons. At least one meal per day shall be served at least five days a week, with the exception of holidays, vacations and periods of redecorating. The serving of such meals and food shall be the principal business conducted, with the serving of beer or wine to be consumed on the premises as only incidental to such business. The restaurant shall derive at least 75 percent of its total annual gross from food and non-alcoholic beverages sales and shall have gross food sales in excess of \$150,000.00 per year.

12. Compliance with Age Requirements. No license shall be granted to any person or partnership unless the person or all partners shall be at least 25 years of age and has/have been a resident of the state for a minimum of one year prior to filing an application for such license. If a corporation or LLC should be an applicant, the corporation or LLC must designate a person who will be responsible for all matters regarding the operation of the business, and that person shall be at least 25 years of age.

13. Distance Requirements. The front door of the business is not less than 300 feet from the front door of any school or college campus, not less than 300 feet from the front door of any church and not less than 300 feet from any Housing Authority property or any building used as an alcohol rehabilitation center. This distance is to be measured by the most direct route of travel on the ground. This application includes a scale drawing showing the distance to the nearest school ground or college campus and alcohol rehabilitation center, housing authority property, church or a certificate of a registered surveyor that such location complies with this section.

14. Adult entertainment. The front door of the business is at least 1000 ft. from the front door of any adult entertainment establishment as described in the Town code. This distance is to be measured by the most direct route of travel on the ground.

15. Certification

STATE OF GEORGIA
TOWN OF NEWBORN

NOTE: 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 penalties of false swearing, and it includes all attached sheets submitted herewith.

I, _____ do solemnly swear, subject to the penalties for false swearing, that the statements and answers made by me as the applicant in the foregoing statement are true and correct.

(Applicant's Signature)

Print Name: _____

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 has sworn that said statements and answers are true and correct.

Sworn to and subscribed before me this _____ day of _____, 20__.

Notary Public _____ (SEAL)

Office Use Only

Date Application Received: _____

Copy of Driver's License Attached _____

Applicant Furnished Fingerprints for GBI _____

State License Attached _____

Bond in the Amount of **\$1,000.00** (Wholesaler) / **\$500.00** (Retail or Pouring License) Provided _____

Applicant Is Not an Official or Employee of the Town or Member of the Town Government _____

Application Complete and Fee Paid: _____

Current Business License:

Complete, Detailed Diagrams of the Business and Outside Premises Are Attached, or Proposed Plans and Specifications and a Building Permit of Proposed Business Are Attached _____

The Business or Proposed Business Meets All Ordinances of the Town, Regulations of the State Revenue Commissioner, and the Laws of the State of Georgia

Processed Date: _____

Any Extenuating Circumstances Which May Reflect Favorably or Unfavorably on the Applicant, Application or the Proposed Location of the Business. _____

Notes: _____

Mayor and Council Decision: _____

INDIVIDUAL CRIMINAL HISTORY CONSENT FORM

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

Signature

Print Full Name

Address

Sex Race Date of Birth Social Security Number

SPECIAL CONDITIONS

O.C.G.A. § 35-3-35: IF AN ADVERSE EMPLOYMENT OR LICENSING DECISION IS MADE AGAINST THE PERSON WHOSE RECORD WAS OBTAINED UNDER THIS LAW, THE PERSON SHALL BE INFORMED:

- (a) THAT A RECORD WAS OBTAINED;*
- (b) THE SPECIFIC CONTENTS OF THE RECORD; AND*
- (c) THE EFFECT THE RECORD HAD UPON THE DECISION.*

Date

Sworn to and subscribed before me this
_____ day of _____, 20____, in the presence of:

Notary Public

PERSONAL/CRIMINAL HISTORY RELEASE FOR INVESTIGATION OF APPLICANT

I, _____, (Full legal name) authorize the review of and full disclosure of all records concerning myself and any applicant entity and all members, shareholders, partners, directors and officers thereof to Newborn and to Newton County Sheriff's Department. I certify under oath and under penalty of perjury that I have received permission from each of the individuals referenced above to authorize said review and full disclosure of records pertaining to them.

The intent of this authorization is to give my consent for disclosure of the records necessary to determine suitability for a malt beverage and wine license. This includes a criminal history, financial statement and records wherever filed; employment records; and complaints or grievances filed by or against me and the other persons referenced above.

I understand that any information obtained by a personal history background investigation, which is developed directly or indirectly, in whole or in part, upon this release authorization will be considered by Newton County Sheriff's Department in compiling any report for the Town of Newborn. I certify that any person(s) who may furnish such information concerning me or any of the other persons referenced above shall not be held accountable for giving this information; and I do for myself and all the persons referenced above hereby release said person(s) from any and all liability which may be incurred as a result of furnishing such information.

A photocopy of this release form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.

_____			_____		
Date			Signature		
_____			_____		
Address			Telephone Number		
_____			_____		
Town	State	Zip	Social Security Number		

Sworn to and subscribed before me this _____ day of _____, 20____, in the presence of:

Notary Public _____ County, GA

My commission expires _____

Town of Newborn

4224 Highway 142, P.O. Box 247
Newborn, Georgia 30056

To All Applicants for Beer and Wine Licenses:

To further clarify the The Town Code of Ordinances – ordained by the Newborn Town Charter that was indemnified by the General Assembly of Georgia, are very specifically interpreted by the Town Attorney that the license and fee to sell Malt Beverage and/or Wine in the Town of Newborn have always been and are now indivisible and cannot be split or parceled in any manner whatsoever.

The full amount of the \$500.00 fee for a Retail Beer and Wine License and/or the full of the \$300.00 fee for a “Pouring License” are always due annually with the application for license.

There are NO partial licenses authorized or legally available and never have been in the history of Newborn’s issuance of Beer and Wine Licenses for any purpose.

In addition, all applicants for “Pouring Licenses” must have the minimum seating capacity as stated in the Code of Ordinances.

W. Gregg Ellwanger
Mayor