



BALDWIN COUNTY COMMISSION

POLICY #2.6	
Subject	Alcohol License Applications
Date Adopted	February 4, 2020
Agenda Item	BA3
Obsolete Versions	July 5, 1995 Minute Book 16, Page 247 March 16, 2004 Minutes Book 34, Page 388 February 19, 2008 Minutes Page 26 March 17, 2009 Minutes Page 11 March 16, 2010 Minutes Page 10-11 February 7, 2012 Agenda Item EA6 April 18, 2017 Agenda Item BA2 September 4, 2018 Agenda Item BA3

POLICY STATEMENT

This policy outlines the procedures for alcohol license applications submitted to the Baldwin County Commission and the establishment of public hearings for the license requests.

The procedures required by this policy are implemented to encourage open debate and for the benefits of the health, safety and general welfare of the general public of Baldwin County, and they shall in no way limit the County Commission’s discretionary ability to approve or disapprove any subject application for any reason.

PROCEDURAL REQUIREMENT

In order to carry out this policy, all license applications concerning alcoholic beverages, whether new, renewals, transfers or otherwise, as presented to the Baldwin County Commission for approval, shall be subject to the following procedures as a prerequisite to such approval:

DETERMINING THE APPROVING AUTHORITY’S JURISDICTION

The Alabama Alcoholic Beverage Control (ABC) Board will provide the applicant a Baldwin County Location Verification Request Form (LVF) which is submitted by the applicant to the

County Planning Department. The exact location of the property is verified and staff determines whether the property is in the unincorporated area of Baldwin County. Planning staff provides a copy of the completed form to the ABC Board and Administration staff. The ABC Board determines if the establishment seeking the license is in the jurisdiction of the Baldwin County Commission or a municipality.

DOCUMENTATION AND INFORMATION REQUIRED FROM THE APPLICANT

To apply for an alcoholic beverage license with the Baldwin County Commission, the applicant is required fill out a County Alcohol License Application and return the completed application to the County Administration Office in Bay Minette. At that time, a case number is assigned for the application and the following is required from the applicant in order for the application to be completed:

- 1) Copy of the completed State ABC License Application; and
- 2) Copy of current County Business License; and
- 3) Copy of County Health Department Permit or documentation from the Health Department stating a permit is not necessary, except as provided in paragraph 6 below; and
- 4) Baldwin County sales and use tax account with no delinquent taxes; and
- 5) Consent for Inspection (the owner or authorized agent for the owner of the premises must consent to the inspection of said premises and the posting of a public notice sign by County personnel in conjunction with the application for an alcohol license).
- 6) The Administration staff may proceed with completing the application and scheduling of the public hearing without a copy of the County Health Department Permit, or documentation from the Health Department stating a permit is not necessary, if the establishment seeking the license will be located in a building that is the result of new construction that has not yet received a certificate of occupancy. Provided, however, a copy of the County Health Department Permit, or documentation from the Health Department stating a permit is not necessary, must be obtained by the Applicant and presented to the Commission on or before the public hearing date.

RECOMMENDATION OF THE BALDWIN COUNTY SHERIFF'S OFFICE

The Applicant is required to take copies of the completed County and State Alcohol License Applications to the Baldwin County Sheriff's Office in Bay Minette. The Sheriff's Office will make a recommendation to the County Commission regarding the license approval.

SCHEDULING OF THE PUBLIC HEARING

At such time the Administration staff has received all required documentation and verifications, a public hearing date will be scheduled and the applicant will be informed of the date/time in writing.

ADVERTISING REQUIREMENTS

Planning staff will place a public notice sign on the subject property once the public hearing date has been issued. Planning staff will take site photos and generate maps of the subject property, which will be published in the County Commission meeting agenda for the public hearing. The public notice sign will be removed by Planning staff after the public hearing has been held and the County Commission has taken action on the license request.

The announcement of the public hearing required by this policy shall be advertised by the applicant in a local newspaper of general circulation within Baldwin County. The original, sealed proof of publication (affidavit) shall be presented to the Commission on or before the public hearing date. The advertisements must be published as follows:

Special Events Licenses 30 Days or Less (Non-Renewable): Advertisement must run once prior to public hearing date

All Other Licenses (Annual Renewal): Advertisement must run three consecutive weeks prior to public hearing date

Non-Profit Tax Exempt Special Events Retail License 7 Days or Less (Non-Renewable): Applicants are required to provide a letter to the Baldwin County Commission notifying the Commission of the event. Approval from the local governing body is not required.

COMMISSION ACTION AND NOTIFICATION OF DECISION

At the public hearing, the County Commission will vote on the alcohol license request. The ABC Board and the Applicant will be notified in writing of the Commission's decision.

FORMS/ATTACHMENTS/EXHIBITS

1. Baldwin County Commission Location Verification Request
2. Baldwin County Alcohol License Application
3. Consent for Inspection Form

**Baldwin County Commission
Location Verification Request
Baldwin County Planning and Zoning Department**

Main Office Mailing Address
PO Box 220, Silverhill, AL 36576
Phone: (251) 580-1655 Fax: (251) 580-1656

Main Office Physical Address
22070 Hwy 59, Robertsdale, AL 36567
Phone: (251) 580-1655 Fax: (251) 580-1656

Foley Satellite Courthouse
201 East Section Street, Foley, AL 36535
Phone: (251) 972-8523 Fax: (251) 972-8520

Applicant Information	
Name: _____	D/B/A: _____
Mailing Address: _____	
City: _____	State: _____ Zip code: _____
Telephone: (____) ____ - ____ Fax: (____) ____ - ____ e-mail: _____	

<input type="checkbox"/> <i>ABC License Application</i>	Site Information
Business Name: _____	
E-911 Address of Site: _____	
Parcel ID Number: 05-____ - ____ - ____ - ____ - ____ - ____ - ____ - ____	
<i>*parcel information must be completed</i>	
Proposed Use: _____	
<i>*Parcel ID number is listed on property tax receipts, or may be obtained from the Baldwin County Revenue Commission at its web site (www.revcomm.co.baldwin.al.us) or by calling (251)937-0245.</i>	

Signature of Applicant **Date**
 City _____ **County**

Please be advised that this location verification is for informational purposes only. Specific uses for the zoning classification should be verified through the Baldwin County Zoning Ordinance and associated maps or through consultation with the Planning and Zoning staff at 580-1655.

Office Use Only	
P&Z Verified By: _____	Date: _____
Case No. ZV - _____ <input type="checkbox"/> Unzoned <input type="checkbox"/> Zoned Zoning Classification: _____	
<input type="checkbox"/> City Limits: _____	Planning District _____
<input type="checkbox"/> Permitted Use <input type="checkbox"/> Not Permitted Use	Fire District: _____
Comments: _____	

Has any person(s) with any interest, including manager, whether sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation(s)? Yes* No

*If yes, please list person(s) and charge/violation: _____

Please list three (3) reputable references with mailing addresses (non-resident applicants or residents of less than one year must provide references from former place of residence):

Name	Address	Telephone Number	Relationship

Has a County Business License pertaining to this business been obtained? Yes No*

*If no, please explain _____
(Applicant must provide proof of current County business license to Commission Administration Office)

PLEASE NOTE: The applicant is responsible for obtaining a county business license, a sales and use tax account, Health Department approval if applicable, and any and all permits, if necessary, PRIOR to the Administration Office setting a public hearing date for this license request.

The undersigned _____, applicant for the Alcoholic Beverage License Application requested hereby, acting as the _____ (title) of the business/entity subject hereto, swears and affirms that he/she has read all statements therein and the facts set forth are true and correct and understands that any incorrect information may lead to either denial of the license request or the rescinding of any approvals gained hereby.

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

_____/_____
Signature of **Applicant** Date

Signature of **Notary**

Notary Public, State at Large
My Commission expires: _____

NOTARY SEAL

BALDWIN COUNTY COMMISSION

CONSENT FOR INSPECTION

I, _____, the owner or authorized agent for the
owner of the premises located at _____
_____ ,

do hereby consent to the inspection of said premises and the posting of a public notice
sign, by an employee of the Baldwin County Planning Department, Baldwin County,
Alabama, in conjunction with application for an alcohol license, without further
notice. I understand that the public signs are the property of the Baldwin County
Commission and are only to be removed by an employee of the Baldwin County
Commission.

Dated this _____ day of _____, 20_____.

Signature of Owner or Authorized Agent

Telephone number