



**BALDWIN COUNTY COMMISSION**

<b>POLICY #2.6</b>	
<b>Subject</b>	Alcohol License Applications
<b>Date Adopted</b>	February 4, 2020
<b>Agenda Item</b>	TBD
<b>Obsolete Versions</b>	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; and

Exception: In a case of a new construction of an establishment only, Administration staff can proceed with completing the application and scheduling of the public hearing date without a copy of County Health Department Permit or documentation from the Health Department stating a permit is not necessary. A copy of the above listed documentation must be obtained by the Applicant prior to the public hearing date and shall be presented to the Commission by the Applicant, on or before the public hearing date.

- 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).

#### 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