



BALDWIN COUNTY COMMISSION

POLICY #2.6	
Subject	Alcohol License Applications
Date Adopted	TBD
Agenda Item	TBD
Obsolete Versions	All policies regarding this subject prior to the date adopted on this document. <u>Original adoption / previous revisions:</u> July 5, 1995, Minute Bk 16, Pg 247; March 16, 2004, Minutes Book 34, Pg 388; February 19, 2008, Minutes Pg 26; March 17, 2009, Minutes Pg 11; March 16, 2010, Minutes Pg 10-11; February 7, 2012, Agenda Item EA6; April 18, 2017, Agenda Item BA2, September 4, 2018, Agenda Item BA3; February 4, 2020, Agenda Item BA3; April 19, 2022, Agenda Item BA2

POLICY STATEMENT

This policy outlines the procedures for alcohol license applications submitted to the Baldwin County Commission.

The procedures required by this policy are implemented for the benefit 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.

A. PROCEDURAL REQUIREMENT

In order to carry out this policy, all alcohol license applications 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 Applicant must fill out a Baldwin County Location Verification Request Form (LVF) online. The exact location of the property is verified, and staff determines whether the property is in the unincorporated area of Baldwin County. Based on the location verification 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

The Applicant is required to submit the following documents to the County Administration Office:

- 1) Original completed County Alcohol License Application.
- 2) Copy of the completed State ABC License Application.
- 3) Copy of current County Business License, except as provided in paragraph 6 below.
- 4) The Applicant must have an established Baldwin County sales and use tax account which is in good standing.
- 5) Original Consent to Enter Property Form. The owner or authorized agent for the owner of the premises must consent to the posting of a public notice sign by County personnel in conjunction with the application for an alcohol license. Temporary, non-renewable special event licenses are exempt from this requirement.
- 6) If the establishment seeking the license will be located in a building that is the result of new construction or remodeling of an existing structure that has not yet received the necessary permit(s) from the Baldwin County Health Department resulting in the Applicant not being able to obtain the proper business license, Administration staff will notify County Business License Inspection Office for follow up purposes if a copy of the business license has not been presented to the Commission on or before the date when the Commission will consider and take action on the license request.

RECOMMENDATION OF THE BALDWIN COUNTY SHERIFF'S OFFICE

Baldwin County Sheriff's Office will review the application and make a recommendation to the County Commission regarding the license approval.

SUBMITTING OF THE AGENDA ITEM FOR COMMISSION APPROVAL

Once all required documentation has been received, staff will submit an agenda item to a Commission meeting for consideration and the Applicant will be informed of the meeting date/time in writing.

PUBLIC NOTIFICATION REQUIREMENTS

Planning staff will place a public notice sign on the subject property once the signed Consent to Enter Property Form has been received from the Applicant. The sign must be posted on the subject property at least seven (7) days prior to the Commission meeting date where the application will be considered for approval. The public notice sign will not be removed until the meeting has been held and the County Commission has taken action on the license request. Site photos and a location map of the subject property will be published in the County Commission

meeting agenda. Temporary, non-renewable special event licenses are exempt from this requirement.

COMMISSION ACTION AND NOTIFICATION OF DECISION

The ABC Board and the Applicant will be notified in writing of the Commission's decision.

B. EXCEPTION TO POLICY

Exceptions may be granted by a majority vote of the Baldwin County Commission. Exceptions do not constitute as new policy or establish precedence but will be granted on a case-by-case basis and will only apply to the specific matter before the Commission at that time.

ATTACHMENTS

1. Baldwin County Alcohol License Application
2. Consent to Enter Property Form