



Baldwin County Commission

Legislation Details (With Text)

File #: 18-0879 **Version:** 1

Type: Consent **Status:** Passed

File created: 8/28/2018 **In control:** Baldwin County Commission Regular

On agenda: 9/4/2018 **Final action:** 9/4/2018

Title: Revision of Baldwin County Commission Policy #2.6 - Alcohol License Applications

Indexes:

Attachments: 1. BCC 2.6 - Alcohol License Applications 20180904, 2. 20180723 - Correspondence from Dean, Betty - ABC License, 3. HB414-Enacted 2018 Non Profit, 4. *BA3 - Policy 2.6 - Alcohol License Applications FINAL

Date	Ver.	Action By	Action	Result
9/4/2018	1	Baldwin County Commission Regular	Approved	

Meeting Type: BCC Regular Meeting
Meeting Date: 9/4/2018
Item Status: New
From: Ronald J. Cink, County Administrator
Submitted by: Miranda N. McKinnon, Administration

ITEM TITLE

Revision of Baldwin County Commission Policy #2.6 - Alcohol License Applications

STAFF RECOMMENDATION

Adopt the revised Baldwin County Commission Policy #2.6 - Alcohol License Applications and make said policy a part of the Baldwin County Commission Policies and Procedures Book.

BACKGROUND INFORMATION

Previous Commission action/date: April 18, 2017 - last revision to Policy #2.6

Background:

On July 23, 2018, Commission Staff received an email from the Alabama Beverage Control Board (ABC Board), informing staff of the changes to the process for obtaining a 240 Non-Profit Special Events Retail License. The change to the process is due to the passage of House Bill 414 on March 20, 2018.

240 Non-profit Special Events Retail Licenses are not renewable and are valid for a period not to exceed seven (7) days.

Currently, applicants for a 240 Non-profit Special Events Retail License are required to go through the approval process with the Baldwin County Commission including a public hearing set by the

Commission to consider the license request.

The proposed policy revision reflects the changes approved in House Bill 414. Applicants seeking to obtain the 240 Non-profit Special Events Retail License in Baldwin County are required to send a letter notifying the local governing officials of the event. The ABC Board will issue the License for the sale of beer, wine, and liquor to the qualifying organizations and approval from the local governing body is not required.

A qualifying organization is a bona fide nonprofit organization operating in the state that satisfies all of the following requirements:

- a. Operates without profit to the organization's members.
- b. Is exempt from taxation under Section 501 of the Internal Revenue Code.
- c. Satisfies at least one of the following requirements:
 1. Has been continuously in existence in the state for a minimum of three years.
 2. Is affiliated with a parent organization that has been in existence in the state for a minimum of three years.
 3. Has reorganized and is continuing its mission under a new name on file with the Secretary of State and with a new tax identification number after having satisfied the requirements set forth in either subparagraph 1. or 2.

FINANCIAL IMPACT

Total cost of recommendation: N/A

Budget line item(s) to be used: N/A

If this is not a budgeted expenditure, does the recommendation create a need for funding?
N/A

LEGAL IMPACT

Is legal review necessary for this staff recommendation and related documents?
Yes

Reviewed/approved by: To be reviewed by the County Attorney

Additional comments: N/A

ADVERTISING REQUIREMENTS

Is advertising required for this recommendation? N/A

If the proof of publication affidavit is not attached, list the reason: N/A

FOLLOW UP IMPLEMENTATION

For time-sensitive follow up, select deadline date for follow up: N/A

Individual(s) responsible for follow up: Administration

Action required (list contact persons/addresses if documents are to be mailed or emailed):
Administration - Update policy books and email necessary departments.

Update any other administrative documents used by Administration Department.

Inform ABC Board via email of the Commission's policy revision and attach a copy of the revised policy as a courtesy.

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Additional instructions/notes: N/A