

APPLICATION REQUIREMENTS FOR SALE OF SPIRITUOUS LIQUOR BY PACKAGE

Anyone wishing to apply for a license for the sale of spirituous liquors shall submit the City's application, which shall include a copy of all appropriate state applications and forms, along with a city supplemental application form attached, together with the following:

- Proof of planning and zoning approval and compliance
- Proof of building code compliance
- A legal description of the property upon which the premises is located.
- A current photograph of the applicant
- Fingerprints and background checks to be provided, with the cost being paid by the applicant, as required and directed by the Chief of Police. Background check should show that the applicant has no criminal charges pending and/or no convictions in the past two (2) years.
- An affidavit from the city inspector, stating that the establishment complies with the distance requirements contained in the alcohol ordinance. (The city inspector will charge a fee of one hundred fifty dollars (\$150.00) for this affidavit)
- A cash bond conditioned upon the applicant and the applicant's employees at the licensed establishment complying with all laws, ordinances, rules, and regulations of the city governing the issuance and control or a retail or consumption on the premises spirituous liquor license. The bond shall remain in force as long as the license and its renewals are valid and subsisting and shall be for two-thousand dollars (\$2,000.00). The bond shall be forfeited to the city upon the finding of any violation pursuant to section 4-21 or the suspension or revocation of any license issued pursuant to this chapter in addition to any other fines imposed by the court. Prior to a refund of the bond, the city clerk shall check the accounts for all utilities, taxes, and licenses of the licensed premises and the licensee and may use, in his/her sole discretion, the bond to pay any unpaid utility accounts, taxes, or any outstanding license fees due and payable.
- An affidavit from the publisher of the legal organ of Dodge County, showing that the applicant has caused to be published in said legal organ, once a week for two (2) consecutive weeks, a notice, showing the name and address of the applicant, the location for which the license is sought, the type of license applied for, and the time and place the city clerk shall act on the application.
- All applicants for a new license (specifically excluding transfers or renewals) shall include with their application a new applicant fee of one hundred fifty dollars (\$150.00).

All applicants, including the officers of a corporate applicant, and the members (and manager if applicable) of a limited liability company applicant must be natural persons and be at least twenty-one (21) years of age.

All applicants for licenses under this spirituous liquor chapter and all actual owners of establishments for which licenses are sought shall be bona fide residents of Dodge County at the time of the filing of the applications and shall remain bona fide residents of Dodge County during all times that the licenses and renewals thereof are in effect.

All applicants meeting the above requirement and submitting the required documentation shall be selected by a random drawing of applicant names by the Municipal Court Judge at a regularly scheduled council meeting. In the event of a forfeited license, the City of Eastman shall advertise for 14 days in the legal organ that applications for the sale of distilled spirits are being accepted and a random draw will be used to fill the available license.

All businesses issued licenses under this spirituous liquor chapter must, within 180 days after the issuance of a city license, open for business. Failure to open for business shall constitute a forfeiture and cancellation of the issued licenses, and no refund of license fees or business taxes shall be made. Any applicant unable to comply with the time limit of this section may make a written request to the Council for an extension of time not to exceed ninety (90) days, and the council may grant or deny the request.

Licenses which may be issued include:

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| (1) Retail: | (2) Consumption on the premises |
| a. Malt beverages \$750.00 | a. Malt beverages \$750.00 |
| b. Vinous liquors \$750.00 | b. Vinous liquors \$750.00 |
| c. Spiritous liquors \$3,500.00 | c. Spirituous liquors @ restaurants and hotels
\$3,500.00 |

(3) *Any combination of the above* may be issued, provided no retail or wholesale spirituous liquor establishment shall hold any consumption-on-the-premises license for the same location.

After application has been approved and chosen, payment by cash or certified check for all minimum fees and business taxes must be provided before issuance of said license.