

**CONFIDENTIAL**

**CITY OF CULLMAN, ALABAMA - ALCOHOL LICENSE APPLICATION**

**THE FOLLOWING INFORMATION MUST BE PRINTED LEGIBLY OR TYPED TO BE ACCEPTED**

| <b>CITY OF CULLMAN, ALABAMA<br/>ALCOHOL LICENSE FEE SCHEDULE</b> |      |  |                     |
|--|------|--|---------------------|
| PLEASE CHECK   | CODE | TYPE OF LICENSE  | CULLMAN LICENSE FEE |
|  | 10   | LOUNGE RETAIL LIQUOR (BAR, NIGHTCLUB, ETC)   | \$ 5,000.00         |
|  | 11   | LOUNGE RETAIL LIQUOR (PACKAGE STORE)   | \$ 1,500.00         |
|  | 20   | RESTAURANT RETAIL LIQUOR CLASS I & II  | \$ 500.00           |
|  | 20   | RESTAURANT RETAIL LIQUOR CLASS III (FOOD HALL)   | \$ 1,500.00         |
|  | 31   | CLUB LIQUOR (FOR PROFIT)   | \$ 1,800.00         |
|  | 32   | CLUB LIQUOR (NOT FOR PROFIT)   | \$ 1,800.00         |
|  | 40   | RETAIL BEER (ON PREMISES)  | \$ 75.00            |
|  | 50   | RETAIL BEER (OFF PREMISES)   | \$ 75.00            |
|  | 60   | RETAIL TABLE WINE (ON PREMISES)  | \$ 75.00            |
|  | 70   | RETAIL TABLE WINE (OFF PREMISES)   | \$ 75.00            |
|  | 80   | WHOLESALE LIQUOR   | \$ 1,000.00         |
|  | 90   | WHOLESALE BEER   | \$ 275.00           |
|  | 100  | WHOLESALE TABLE WINE (14.9% OR LESS)   | \$ 275.00           |
|  | 110  | WHOLESALE TABLE WINE & BEER  | \$ 375.00           |
|  | 120  | WAREHOUSE  | \$ 500.00           |
|  | 140  | SPECIAL EVENTS - 7 DAYS OR LESS  | \$ 200.00           |
|  | 150  | SPECIAL EVENTS - 8 TO 30 DAYS  | \$ 250.00           |
|  | 160  | SPECIAL EVENTS - MORE THAN 30 DAYS   | \$ 350.00           |
|  |      |  |                     |
|  | 200  | MANUFACTURER   | \$ 1,000.00         |
|  | 210  | IMPORTER   | \$ 350.00           |
|  | 220  | BREW PUB   | \$ 1,800.00         |
|  |      |  |                     |
|  |      | All licensees are subject to a non-refundable issuance fee of \$12.                                  |                     |
|  |      | All new licensees are subject to a non-refundable filing fee of \$300.                               |                     |
|  |      | All special events are subject to a non-refundable filing fee of \$200.                              |                     |
|  |      | All licenses issued will follow a calendar year and will not be prorated or refunded for any reason. |                     |
|  |      | All liquor licenses will also be submitting a 12% liquor tax based on their gross liquor sales.      |                     |
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**I. CONTACT INFORMATION FOR APPLICANT (All applicants must complete this section)**

- A. Name of Applicant: \_\_\_\_\_
- B. Mailing Address of Applicant: \_\_\_\_\_
- C. Primary Phone Number: \_\_\_\_\_
- D. Secondary Phone Number: \_\_\_\_\_
- E. Driver's License Number: \_\_\_\_\_
- F. Social Security Number: \_\_\_\_\_

**II. APPLICANT'S BUSINESS INFORMATION (All applicants must complete this section)**

- A. Name of Business \_\_\_\_\_
- B. Physical Address \_\_\_\_\_
- C. Type of Business: Individual \_\_\_\_\_ Partnership \_\_\_\_\_ Corporation \_\_\_\_\_  
Association \_\_\_\_\_ LLC \_\_\_\_\_
- D. Below, list the following for individual applicant(s), or all partners, or officers and directors, if an incorporated business:

| NAME / TITLE | D.O.B/PLACE | PRESENT ADDRESS | SSN |
|--------------|-------------|-----------------|-----|
| 1)           |             |                 |     |
| 2)           |             |                 |     |
| 3)           |             |                 |     |
| 4)           |             |                 |     |

**E. Complete the following questions regarding the applicant(s).**

- 1. Do any of the APPLICANTS, whether individual, member of partnership or association, or officer and directors of corporation or the corporation itself, in ANY manner have a financial interest either directly or indirectly in any other class of business regulated under any alcoholic beverage law? If so, please describe completely

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- 2. Does the APPLICANT own or control, either directly or indirectly, or hold any lien against any real or personal property which is rented, leased, or used in the operation of business by the holder of a permit or license issued under the authority of any alcoholic beverage law? If so, please describe completely:

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3. Is the APPLICANT receiving, either directly or indirectly, ANY loan, credit, cash, or equivalent from any other alcohol licensee or from or through any subsidiary or affiliate of another alcohol licensee, or from any individual, firm, association, or corporation operating under or regulated by the authority of any alcoholic beverage law? If so, please describe completely

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4. Has APPLICANT ever applied for and been refused any State or City permit or license, or had any permit or license suspended or revoked by any State or City authority? If so, please describe completely

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5. Has an alcohol license ever been suspended, revoked, or denied to anyone at the location for which this application is submitted? If so, please describe completely.

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6. Does the APPLICANT currently possess any other permit or license issued by the State of Alabama or the City of Cullman for the sale of alcoholic beverages? If so, please list the license number, date of issuance, license type, name under which the license is issued, and the physical address of the licensed business. (attach additional sheet if necessary)

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**III. GENERAL INFORMATION (All applicants must complete this section)**

- A. If application is for retail off-premise sales, indicate the total number of square feet of floor space in the retail sales area \_\_\_\_\_.
- B. If application is for wholesale sales, indicate the total number of square feet of floor space in the warehouse area \_\_\_\_\_.
- C. If the applicant is a corporate entity, indicate the date and place of incorporation along with the book and page number where officially recorded. If a corporate entity not incorporated under the laws of the State of Alabama, provide a copy of the certificate of authority to engage in business within the State of Alabama.

Date of Incorporation \_\_\_\_\_ Place \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

**IV. LOCATION INFORMATION (All applicants must complete this section)**

1. Physical Address of Business (Copy of the legal description and plat must be included)

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2. Mailing address and phone number for the business

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3. Indicate the name under which the business is to be operated

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4. Are you currently operating a business at this location? If so, please indicate the name of the business, type of business, and the length of time you have been operating.

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5. If you are purchasing an existing business, please indicate the name of that business.

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6. Will any building renovations, remodeling, or repairs be completed prior to opening your business at this address? If so, describe the nature and extent of this work.

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7. Give a description of the building interior (e.g. sq feet, # if rooms, type of rooms, etc.)

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**Attach a sketch of the building showing entrances, exits, rooms, etc. with approximate dimensions. (A free-hand sketch is acceptable if legible).**

a. List the complete name, residence address and phone number for the owner(s) of the real estate for which this license is being requested

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b. List all lessees or sub-lessee's of the real estate for which this license is being requested.

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8. The applicant will be responsible for notifying all property owners/residents/businesses within fifty (50) feet by mail or letter of the public hearing to consider your alcohol application. The public hearing for your business will be advertised six days prior to the City Council meeting in the local newspaper.

**V. HOTEL / MOTEL (Complete the section only if applicable to your business)**

- A. Indicate the total number of fully equipped rooms available for transient lodging \_\_\_\_\_.
- B. Does the applicant own, operate, or lease dining facilities within this location? If so, please describe

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- C. Indicate the square footage of the dining facilities \_\_\_\_\_.
- D. Indicate the maximum capacity of persons who can be accommodated at one time in the dining space \_\_\_\_\_.
- E. Is the food preparation area separate but adjoining the dining space? \_\_\_\_\_

**VI. RESTAURANT (Complete this section only if applicable to your business)**

- A. Indicate the total number of square feet of floor space in the dining room \_\_\_\_\_.
- B. Indicate the maximum capacity of persons who can be seated at tables or booths at any one time in the dining room \_\_\_\_\_.
- C. How frequently will meals be offered to the public? (daily, twice daily, continuously) \_\_\_\_\_
- D. Will all meal preparations occur on the premises of this location? If not, please describe \_\_\_\_\_
- E. Is the food preparation area separate but adjoining the dining room? \_\_\_\_\_

**VII. LOUNGE / CLUB (Complete this section only if applicable to your business)**

- A. List the following for each manager, or anyone who will be in a daily supervisory position for this business.

| Name / Position | DOB/Place | Present Address | Soc. Sec. # |
|-----------------|-----------|-----------------|-------------|
| 1)              |           |                 |             |
| 2)              |           |                 |             |
| 3)              |           |                 |             |
| 4)              |           |                 |             |

**VIII. CRIMINAL HISTORY (All applicants must complete this section)**

- A. Include an Alabama Bureau of Investigation Criminal History Information Release Form for the applicant, each partner, officer, or landlord. Each form must be completed entirely and must be legible. Additionally, each release form must be accompanied by a bank or postal money order, cashier's check, or some type of certified funds made payable to Alabama Bureau of Investigation in the amount of \$25.00. You can submit one combined payment for the total number of forms if you choose.
- B. The applicant and all other parties listed above in Section VII (A) hereby authorize the Police Department of the City of Cullman and the Alabama Department of Public Safety to furnish the governing body of the City of Cullman with any and all information concerning them as relates to their criminal history and general reputation and character. Information of a confidential and privileged nature may be included in the investigation and report as determined through a search of City, State, and Federal law enforcement records. This information will be used by the City of Cullman to determine qualifications for obtaining an alcoholic beverage license by the applicant.
- C. I / we understand our rights under Title 5, United States Code, Section 552A , including the Privacy Act of 1974, and willingly waive those rights with the understanding that any information collected will be used by the City of Cullman in conjunction with alcoholic beverage licensing procedures. I/we hereby release the City of Cullman, its agents, employees, and governing body from any liability or damage which may result from the investigation into my/our criminal history. The applicant acknowledges that each party named has been informed of the contents of the application and has authorized the applicant to sign and execute such waiver on their behalf. The applicant agrees to hold the City of Cullman, its agents, employees, and governing body harmless from any damages arising out of any disclosures of any information, arising from investigation of criminal history or of any part of this application; relating to the applicant or any other part of the application relating to the applicant or any other persons named herein.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Title/Position \_\_\_\_\_  
(Must be signed by the applicant or authorized officer if corporate entity)

**VIII. BUILDING & FIRE INSPECTIONS**

The applicant must correct all deficiencies found by building department and the fire department within the allotted timeframe to obtain, renew or possess a City of Cullman Alcohol License. If the business does not correct the deficiencies within the allotted timeframe as required by this section, the privilege and/or alcohol license may be revoked. With respect to those instances where the consent and approval of the City Council is required with respect to the issuance of an Alcohol License, such consent and approval may not be granted where the deficiencies have not been corrected.

**IX. ALCOHOL LICENSE TAX BOND**

It shall be the duty of each person subject to a license fee, privilege tax, or excise tax imposed by the ordinance to deliver to the City of Cullman, Alabama a bond conditioned to promptly pay to said City all such amounts as are required to be paid to said City under the terms of the ordinance, or any amendment hereto, and any other amount which may become due to the City of Cullman, Alabama for any licensee fee, privilege tax, or excise tax becoming due after the date of the bond. The amount of the bond shall be Ten Thousand Dollars (\$10,000.00) for each location of the person’s business that is engaging in activity with respect to which a license or excise tax under this ordinance is imposed. Such a bond must remain in place continuously during the entire period that the person is subject to a license fee, privilege tax, or excise tax imposed by the ordinance.

With respect to those instances where the consent and approval of the City Council is required with respect to the issuance of an alcoholic beverage license, such consent and approval will not be granted where the bond described in the section has not been delivered to the City Clerk, or the clerk’s designated representative. Moreover, where such a bond is required by this section, no privilege license shall be granted, renewed, maintained, or allowed to be transferred where the City Clerk, or her authorized representative, has not received or does not hold a valid and binding bond as required by this section.

Said bond shall be posted in substantially the same manner and form as shown below.

**CITY OF CULLMAN  
ALCOHOL ORDINANCE TAX OR FEE BOND**

*That \_\_\_\_\_, hereinafter called Principal, and \_\_\_\_\_, as Surety are held and firmly bound unto the City of Cullman, Alabama, a municipal corporation, in the sum of \$10,000 for the payment of which will and truly to be made we hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.*

*The condition of the foregoing is such, however, that **WHEREAS**, as one of the conditions precedent to the consent and approval of the City Council with respect to the issuance of an alcoholic beverage license, or to the granting, renewal, maintenance, transfer or allowance of a privilege license, the Principal is required to deliver to the City of Cullman, Alabama, a bond conditioned to promptly pay to said City all such amounts as are required to be paid to said City under the terms of Ordinance No. \_\_\_\_\_, or any amendment thereto, and any other amount which may become due to the City of Cullman, Alabama for any license fee, privilege tax, or excise tax imposed by said ordinance and becoming due after the date of the bond.*

***NOW, THEREFORE**, the condition of the obligation is such, that if the Principal shall faithfully comply with all the laws and ordinances of the City of Cullman now in force, or that may hereafter be adopted, and will promptly pay to said City of Cullman, Alabama all such amounts as may become due as required under the terms of the above license, then the obligation is to become null and void; otherwise to remain in full force and effect.*

*If the Surety shall so elect, this bond may be cancelled by providing notice through certified mail to the City of Cullman or the designated representative. This notice shall provide for thirty (30) days notice to the City of Cullman, and this bond shall be deemed cancelled at the expiration of said thirty (30) days; the Surety remaining liable, however, subject to all the terms, condition and provisions of this bond, for any acts covered by this bond which may have been committed by the Principal up to the date of such cancellation.*

***IN WITNESS WHEREOF**, the said Principal and the said Surety have hereunto set their hands and seals at Cullman, Alabama on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_*

\_\_\_\_\_(Seal)  
Principal

BY \_\_\_\_\_(Seal)

\_\_\_\_\_(Seal)  
Surety

By \_\_\_\_\_  
Title

**X. LIQUOR LIABILITY INSURANCE**

It shall be the duty of each person obtaining a City of Cullman Alcohol License to obtain liquor liability insurance in the amount of \$300,000. The person obtaining the license will be responsible for renewing the liquor liability insurance annually and providing the City with a current copy of their liquor liability insurance to be placed on file at City Hall.

With respect to those instances where the consent and approval of the City Council is required with respect to the issuance of an alcohol license, such consent and approval will not be granted where the liquor liability insurance described in this section has not been delivered to the City Clerk, or the clerk’s designated representative. Moreover, where such liquor liability insurance is required by this section, no privilege license shall be granted, renewed, maintained, or allowed to be transferred where the City Clerk, or her authorized representative, has not received or does not hold a copy of liquor liability insurance as required by this section.

**XI. RESPONSIBLE VENDOR CERTIFICATION**

It shall be the duty of each person obtaining a City of Cullman Alcohol License to complete a business certification through the Alabama Responsible Vendor Program within 30 days of license approval. If the business does not obtain a business certification as required by this section, the privilege and/or alcohol license may be revoked.

**XII. AFFIRMATION (This section MUST be completed and notarized)**

The APPLICANT for the license requested herein, hereby swears of affirms that he/she and all parties interested in said application have read all questions, and the answers thereto, all in connection with application of said APPLICANT for a City of Cullman Alcohol License as indicated in said application; that he/she and all parties interested in said application for license fully acknowledge that this attachment is a part of said application and all statements and facts herein are true and correct to the best of my knowledge; that he/she and all parties interested in said application understand, acknowledge, and affirm that the applicant is the only person in any manner with a pecuniary interest therein during the continuance of the license, and that any finding or non-conformance with this affirmation can result in denial of license approval or revocation subsequent to license approval.

The APPLICANT for the license requested herein, hereby swears of affirms that he/she and all parties interested in said application have received and reviewed the City of Cullman Alcohol Ordinance; that he/she and all parties interested in said application understand, acknowledge, and affirm that the applicant is the only person in any manner with a pecuniary interest therein during the continuance of the license, and that any finding or non-conformance with this affirmation can result in denial of license approval or revocation subsequent to license approval.

Sworn / Affirmed to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name and Title of Person Signing as Applicant

\_\_\_\_\_  
Date Commission Expires