



CITY OF ANNISTON

**P.O. Box 2168
ANNISTON, AL 36202**

INSTRUCTIONS FOR LIQUOR LICENSE APPLICANTS

1. Complete a State of Alabama Alcoholic Beverage License Application with the State of Alabama ABC Board located at 1826 Quintard Avenue.
2. Submit a copy of your State of Alabama Alcoholic Beverage License Application to the City of Anniston Finance Department and complete a City of Anniston Business License Application.
3. Remit to the City the \$50.00 Alcoholic Beverage License Application Fee.
4. Upon completion of your City Business License Application it must be delivered to the City's Inspections Division and reviewed to ensure proper zoning. Upon zoning approval an on-site inspection of the premises will be scheduled.
5. The attached Public Notice must be published in the Anniston Star concerning the Alcoholic Beverage License Application at least 7 (seven) days prior to the meeting at which the application will be considered by the City Council. Meetings are normally held on the second and fourth Tuesdays of each month at 3:00 p.m. As such, the public notice must run the Tuesday prior to the scheduled meeting at which the license application will be considered.
6. You must distribute a copy of the completed Public Notice to all residences and businesses within 500 feet of your proposed location at least 7 (seven) days prior to the scheduled meeting at which your license will be considered.
7. No later than 6 (six) days prior to scheduled meeting at which the license application will be considered you must submit to the City's Finance Department each of the following items:
 - A copy of any Articles of Organization or Incorporation
 - A copy of the lease on the real property
 - Proof of timely publication of your Public Notice
 - Proof of proper notification to all residences and businesses within 500 feet of the proposed location
 - Payment of the \$50.00 application fee
 - A list of all members (Club Licenses Only)(Failure to remit these documents will result in a delay of your application)

8. Attend the scheduled City Council Meeting at which your license application is to be considered. You may want to be present at the Council's pre-meeting, typically scheduled one hour prior to the regular meeting, in case any Councilman has a question. Failure of you or your official representative to attend may result in no action being taken on your application.
9. Upon approval of your license application an approval letter will be forwarded to the State ABC Board. You will need to visit the ABC Board so they can send off for your State Liquor License. Upon receipt of your State Liquor License (usually 5 -10 business days) you will need to return to City Hall so that we may make a copy of the license and issue your City Liquor License.
10. Contact RDS/AlaTax at 1-800-556-7274 (www.revds.com) and register for the submission of monthly sales tax and liquor tax. The amount of liquor tax is 10% of monthly purchases (5% in the police jurisdiction).

Attached to this checklist you will find a list of "Factors to be considered in the council's decision," a Supplement to State Application, a copy of the Public Notice that must run in the Anniston Star, a list to track all residences and businesses notified within 500 feet of the proposed location, and a Request Regarding Investigation concerning improvements that may be required prior to the issuance of your license.

Also, attached you will find a copy of Ordinance 99-O-13 that covers zoning and defines each type of establishment dealing in alcoholic beverages. Be sure to note the distance requirements in CBD and CBD-1 zones.

If you have any questions, please call 231-7725 or e-mail mmotley@ci.anniston.al.us .

ANNISTON CODE

Sec. 3.5. Factors to be considered in council's decisions.

(a) In rendering a decision on each application, the city council shall consider, among others, the following factors:

- (1) The wishes and desires of the residents, real property owners, and businesses within five hundred (500) feet of the property for which a license is sought.
 - (2) Character and reputation of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
 - (3) The criminal court records or evidence of violation of ABC regulations of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
 - (4) Location of premises for which a liquor license is sought and the number of establishments presently holding liquor licenses for lounges, clubs, hotels, restaurants, civic centers, or dinner theaters whose place or places of business are within five hundred (500) feet of the property for which a liquor license is sought.
 - (5) The compliance by applicant, each partner, member, officer, member of the board of directors, landlord, and club manager with the laws of the State of Alabama and ordinances of the city.
 - (6) The proximity of the premises to any churches, schools, day care centers, eleemosynary institutions or places of public gathering.
 - (7) The suitability of the premises to contain noise reasonably anticipated to be generated from the premises.
- (b) The city council shall refuse to approve a liquor license for a club when it appears that the operation would enure to the benefit of individual members, officers, agents, or employees of the club rather than to the benefit of the entire membership of the club.

(Ord. No. 80-O-34, 1; Ord. No. 92-O-2, 2, 2-11-92)

City of Anniston, Alabama

Supplement to State Application

Provide the name(s) and drivers license number(s) of the manager(s) employed to manage the establishment in the absence of the sole proprietor, the partners or the officers of the corporation:

Name

Drivers License Number

Authorized Signature

Date

PUBLIC NOTICE

NOTICE is hereby given that _____ has filed with the City of Anniston, Alabama, an application for a _____ license at _____ and that said application, together with the results of an investigation conducted by the Chief of Police of the City into all matters and things contained therein and the recommendations thereon, will be considered at the regular meeting of the City Council of the City of Anniston at 3:00 p.m. on _____, 20____ and that at said place and time all persons residing, having businesses, or owning real property within 500 feet from the proposed business location shall have an opportunity of being heard in opposition to or in favor of said application.

ALAN B. ATKINSON,
CITY CLERK OF THE CITY OF ANNISTON, ALABAMA

To the Anniston City Council
Anniston, AL

This is to certify that I, _____ representing
_____ (business) have notified all
persons residing, having businesses or owning real property within 500 feet from
said business for which a license is sought of the time and place such application
will be considered.

Name

Address

Date Notified

(Applicant)

(Date)



CITY OF ANNISTON
P.O. Box 2168
ANNISTON, AL 36202

TELEPHONE (256) 231-7799

FAX (256) 231-7664

REQUEST REGARDING INVESTIGATION

I, _____, representing _____
(Print name legibly) (Print business name legibly)
do certify that I have been informed of the structural and other property improvements, if
any, required at _____ so as to qualify for an alcoholic
(Street address)
beverage license with a license category of _____ as
assigned by the Alabama Alcoholic Beverage Control Board. I acknowledge that any
required improvements will be made and, furthermore, I request that the application
procedure continue.

(Signature)

(Print title legibly)

(Date)

This form must be completed by the applicant and returned to the Finance Department.
The application will not be scheduled for a City Council agenda until the completed form is returned.

ORDINANCE NUMBER 99-O-13

A ZONING ORDINANCE AMENDMENT TO MODIFY THE DEFINITIONS FOR ESTABLISHMENTS THAT SELL ALCOHOLIC BEVERAGES AND AMEND THE PERMITTED USE TABLE REGARDING SUCH ESTABLISHMENTS

BE IT ORDAINED by the City Council of the City of Anniston, Alabama as follows:

Section 1. That Section 5: DEFINITIONS, of Ordinance 81-O-40 (the Zoning Ordinance of the City of Anniston, Alabama) be and the same is hereby amended to include in addition the following definitions::

Section 5: DEFINITIONS

Lounge - An establishment which serves beer, wine, and/or liquor for on-premise consumption. This definition shall include private clubs where beer and/or wine are consumed on the premises.

Package Store - A business which provides retail sales of alcoholic beverages for off-premise consumption.

Private Club - An establishment formed by non-profit corporations or associations having at least 150 members in good standing which holds regular meetings and charges dues for membership, or otherwise meets the requirements of Section 28-3-1(7) 'a' and/or 'b' of the Code of Alabama, 1975. If alcohol is consumed on the premises, then the Private Club shall be considered a Restaurant Pub, Restaurant Lounge, Tavern, or Lounge, whichever is applicable.

Restaurant Lounge - A restaurant which may serve beer, wine and/or liquor. Restaurant Lounges shall be required to have at least a 1,000 sq. ft. dining area, seating for 50, and a separate kitchen adjoining the dining area serving at least one meal per day, six days per week. A minimum of 40% of gross sales receipts must be food sales.

Restaurant Pub - A restaurant which may serve beer and/or wine. Restaurant Pubs shall be required to have at least a 1,000 sq. ft. dining area, seating for 50, and a separate kitchen adjoining the dining area serving at least one meal per day, six days per week. A minimum of 40% of gross sales receipts must be food sales.

Tavern - An establishment which serves beer and/or wine for on premise consumption. This definition shall include private clubs where beer and/or wine are consumed on the premises.

Section 2. That Section 39: PERMITTED USES BY DISTRICT, Subsection: RETAIL AND WHOLESALE TRADE, of Ordinance 81-O-40 (the Zoning Ordinance of the City of Anniston, Alabama) be and the same is hereby amended to read as follows:

**Section 39: PERMITTED USES BY DISTRICT
RETAIL AND WHOLESALE TRADE**

| USE | RIP | NSC | NSC-I | ASC | CBD | CBD-I | GB | LM | IF | FC | AG | WHO |
|---|-----|-----|-------|-----|-----|-------|----|----|----|----|----|-----|
| Lounge (beer, wine, liquor sales for on-premise consumption), See footnote 1. | | | | • | • | • | • | • | • | | | |
| Package Store | | • | | • | • | • | • | | | | | |
| Restaurant Lounge | | • | • | • | • | • | • | | | | | |
| Restaurant Pub | | • | • | • | • | • | • | | | | | |
| Tavern (beer, wine sales for on-premise consumption), See footnote 2. | | | | • | • | • | • | • | • | | | |

Footnotes:

- 1 Lounges in the CBD and CBD-1 zoning districts shall not be located within 1,200 feet of another lounge or tavern.
- 2 Taverns in the CBD and CBD-1 zoning districts shall not be located within 1,200 feet of another tavern or lounge.

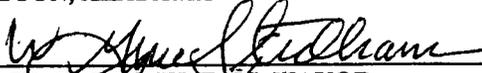
Section 3. That all other provisions of Ordinance 81-O-40 not in conflict herewith shall

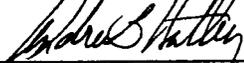
remain in full force and effect.

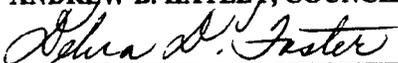
Section 4. This Ordinance shall become effective immediately upon its adoption and publication one time in the Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and ADOPTED this the 26th day of April, 1999.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

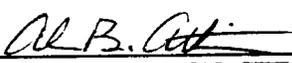
BY: 
W. GENE STEDHAM, MAYOR

BY: 
ANDREW B. HATLEY, COUNCIL MEMBER

BY: 
DEBRA D. FOSTER, COUNCIL MEMBER

BY: abstain
JAMES D. MONTGOMERY, COUNCIL MEMBER

BY: 
JOHN E. REAVES, COUNCIL MEMBER

ATTEST
BY: 
ALAN B. ATKINSON, CITY CLERK