

HALL COUNTY ALCOHOLIC BEVERAGE LICENSE

FREQUENTLY ASKED QUESTIONS

Who can apply for an alcoholic beverage license? Licenses may be applied for by the owner of the business, or if the business is owned by a corporation, by an officer of corporation. If neither the owner nor any officers meet the licensing requirements, then an employee of the business may be considered.

What type of alcohol licenses does Hall County allow? Hall County allows the sale of Malt Beverages (beer) and Wine in the original package at convenience stores and grocery stores. Restaurants may sell Malt Beverages (beer), wine, and distilled spirits by the drink for consumption on the licensed premises only.

Why can't I sell distilled spirits by the package? The sale of alcoholic beverages is approved by citizens of Hall County by voting on referendums. Voters have not approved the sale of packaged distilled spirits, only by consumption on the premises of licensed restaurants.

Are there age requirements to hold an alcoholic beverage license? Yes. Licenseholder must be at least 21 years of age at the time of application.

Are there citizenship requirements? Yes, the licenseholder must be a US citizen, and sign an affidavit verifying their US citizenship, or show proof of current alien registration and/or residency from the INS or DHS.

Are there residency requirements? Yes, the licenseholder **must** be a permanent full-time resident of the State of Georgia.

What happens if the licenseholder is not a permanent resident of Hall County? If the licenseholder does not reside full-time in Hall County, then he/she must designate someone that **IS** a Hall County Resident to act as a liaison, or REGISTERED AGENT. This person does not have to be affiliated with the business in any way, just be a full-time permanent resident of Hall County, and agree to serve as a liaison between the Business License Director and the licenseholder who does NOT live in Hall County.

I have a criminal history; can I apply for an alcohol license? The licenseholder and/or registered agent must not have been convicted of or pled guilty to any federal, state, or local law, including, but not limited to, misdemeanor DUI or BUI, laws involving alcoholic beverages, malt beverages, distilled spirits, wine, drugs, pornography, gambling, or tax law violations within the past 5 years. Licenseholder and/or registered agent must not have been convicted of, or pled guilty to **any** federal, state, or local law classified as a felony, within the past 10 years. Licenseholder and/or registered agent must not be a person, firm, partnership, association or corporation where any manager, partner, officer, or director thereof has been convicted of or pled guilty to any felony or lesser offense involving **moral turpitude**.

What about my employees – what if they have a criminal history? The same guidelines apply – and it is the responsibility of the owner of the business and/or the licenseholder to verify that employees do not have a criminal history that would cause the alcohol license to be revoked.

What is the legal age to purchase alcohol? What happens if I sell to a minor? The legal age to purchase and/or possess alcoholic beverages in the State of Georgia is 21 years of age. The licenseholder, or any of his agents, **MUST**, as per Hall County Code, check the ID of EVERY PERSON wanting to purchase alcohol EVERY time they attempt to purchase alcohol. If you sell alcohol to a minor, then you are subject to fines and/or the suspension of the alcohol license both at the state and local levels. State laws vary, but locally, on a first offense, the Hall County Commission has the sole discretion as to any penalties, fines, or suspension of the license on alcoholic beverage code violations. On a second offense, a mandatory suspension of at least 30 days, and possibly up to 90 days, is required. Additionally a reinstatement fee will be required before any suspended license may be re-issued. On a third offense, the license will be revoked.

Do my employees have to be 21 to sell alcohol? No, but they must be 18. Persons under the age of 18 may not sell, distribute or handle alcoholic beverages in ANY way. (This includes checking someone out at the cash register and collecting payment.)

Are there other required licenses or permits before I can get my Hall County Alcohol license? Yes, the business must have a current valid Certificate of Occupancy AND a current valid Business License before applying for an alcoholic beverage license.

So once I have my Hall County Alcoholic Beverage License, I can begin selling alcohol? No, you must also have a license from the State of Georgia, Department of Revenue.

Can I get an alcohol license if my business is located close to a church or school? The physical location of the business **must be** at least 600 feet from the nearest point of the main structure of the building to the nearest point of the main structure of any school or church as measured in a straight line between the closest points of the two structures.

What is the different in “consumption on the premises” and “package” licenses? Package licenses are issued to grocery stores and convenience stores to sell alcoholic beverages in their original packaging and can NOT be consumed on the licensed premises. Consumption on the premises licenses are issued to restaurants to sell alcoholic beverages by the drink on the licenses premises. Consumption on the premises licenses may not allow the sale of alcoholic beverages “to go”...all alcohol MUST be consumed on the premises.

Are there time limits on selling/serving alcohol? Yes – The hours of sale of packaged alcoholic beverages (grocery stores and convenience stores) is between 7 AM to 11:45 PM Monday thru Saturday. The hours of sale for consumption on the premises of alcoholic beverages is between 11 AM to 12:45 PM Monday thru Friday, and 8 AM thru 11:45 PM on Saturdays and on Christmas Eve. No alcoholic beverage sales are permitted when Christmas Eve falls on Sunday.

Can I sell alcoholic beverages on Sunday? No.

Can I sell alcoholic beverages on Christmas Day? No.

Can I sell alcoholic beverages on Christmas Eve? Yes, unless it falls on a Sunday.

What about election day – can I sell alcohol on election day? Yes.

Can ANY restaurant have a consumption license? No. “Consumption” licenses shall be issued only to restaurants, that meet Hall County Code requirements. Restaurants must have sanitary kitchen and dining room equipment with a current food service permit, and must be approved by the building inspection department to have a minimum indoor seating capacity at least 50 people, has to serve meals during at least two meal periods (breakfast, lunch, and/or dinner) per day, be open for business at least 5 days a week, and at least nine months per year. (Businesses may close ONLY for seasonal reasons, or remodeling for up to 3 months each calendar year.)

Can I have a package store? No. Alcoholic beverage sales are allowed only *secondary* to food sales, and each business that has an alcoholic beverage license must maintain a minimum amount of food sales to qualify for the license. Businesses that only sell alcoholic beverages (package stores or bars) are not allowed in the unincorporated areas of Hall County.

What can I include as “food” sales? Only items that are consumed by humans can be included in the minimum qualifying amount for food sales....no gas or oil products, no paper or cleaning products, no pet food, etc. Only FOOD that can be consumed by humans may be included. Businesses must maintain a minimum of \$3,000 in food sales each month.

Can I buy alcoholic beverages at a wholesale store, like Sam’s, BJ’s, or Costco, to re-sell in my business? No. All alcoholic beverages must be purchased from and delivered to the licensed location by a licensed wholesale distributor.

If I own more than one business that sells alcohol, can I transport alcohol from one of my businesses to another?

No, transportation of alcoholic beverages must be made by a license wholesale distributor only.

I have limited storage space at my business – can I store my alcoholic beverages somewhere else and then bring it into my store as I need to?

No. No one may transport alcoholic beverages except licensed wholesale distributors. All alcoholic beverages MUST be stored on the licensed premises.

Can customers in my restaurant BYOB or “brown bag”? No. Hall County Code prohibits ANY alcoholic beverages on an alcoholic beverage licensed premises unless it is delivered by a wholesale distributor.

Can I have a “Happy Hour” at my restaurant? Currently Hall County Code does not authorize any special pricing of alcoholic beverages at a certain time, i.e. “Happy Hour”.

I don’t have an alcoholic beverage license but I want to have a public “customer appreciation party”. Can I GIVE away alcoholic beverages? No. In order to distribute alcoholic beverages in ANY way to the public, you must have a Hall County Alcoholic Beverage License.

Does my alcohol license ever expire, and if so, when does it have to be renewed? Yes, your license will expire each year on December 31st. Fees for alcohol licenses are not pro-rated, nor refundable in any way. We will mail out a renewal application for your alcoholic beverage license in October. It is due back with payment by November 15th. Any application not fully complete will be returned. Remember, that you must also renew your State Alcohol license each year as well.

If the license holder/managing agent or registered agent ceases to work for the business, or in any way ceases to qualify to be the agent, how long do I have to let you know and to make the change? 5 days – after 5 days the fee doubles. After 45 days, the license will become invalid and WILL be picked up. A NEW license must be applied for.

If you have any questions, please contact the Business License Director, Susan Rector at 770.531.6815.