



Alcohol Beverages Fee Schedule and Information

New Businesses must apply directly with City Hall.

All questions regarding your Alcohol Renewal should be directed to Avenu Insights – as administering agent. We will be glad to assist you.

Mail To: Brookhaven Alcohol Beverage Renewal Application
c/o Avenu Insights
PO Box 830900
Birmingham, Alabama 35283-0900

Email: businesslicensesupport@avenuinsights.com
Toll Free Phone: (800) 556-7274

Table of Contents

1. Significant Changes to Alcoholic Beverage Ordinance
 - a. License and Permits Classes – Sec. 4-201(2). Permit classes (B, C, D, E, F, G, H, J & N)
 - b. Advertisement of license application; Erection of sign – Sec. 4-206 (a)(b)
 - c. Hours of operation; Sunday sales – Sec. 4-302
 - d. Security/law enforcement presence at certain establishments – Sec. 4-311
 - e. Security camera system required – Sec. 4-312
2. Alcoholic Beverage Renewal Application Fee Schedule
3. Alcohol Excise Tax Ordinance (excerpt only)

Significant Changes to Alcoholic Beverage Ordinance

Businesses of the City of Brookhaven need to be aware of the following changes:

License and Permits Classes – Sec. 4-201(2). Permit classes (B, C, D, E, F, G, H, J & N)

- The following licenses and permits, or any combination thereof, may be issued pursuant to this article; provided, however, that such combination is not prohibited by Title 3 of the O.C.G.A.
- Manufacturer (1-3), Retail Dealer(C.O.P.) (1-3), Retail Package Store, Ancillary Retail Package (Tasting), Wholesaler, Complimentary Services, Grocery Store, Underage Permit, and Temporary Alcohol License
- **Application for licenses; applicant; contents of application – Sec. 4-203(d)(3-5)**
- Proof of financial responsibility – Dram Shop Insurance
- Applicants seeking a Class A, C, G or H alcohol beverage license shall file with their application a certificate of liquor liability insurance; providing an annual aggregate policy limit for dram shop insurance of not less than \$1,000,000 per policy year
- Proof of financial responsibility – General liability insurance
- Applicants seeking a Class A, B (to the extent the applicant offers or intends to offer tastings as defined in this article), C, D, E, G, or H alcoholic beverage license shall file with their application a certificate of liability insurance; providing at least \$1,000,000 in commercial general liability insurance coverage.
- Public safety plan
- Class C licensees that operate or intend to operate establishments where persons under the age of 21 are not permitted and Class J licensees shall prepare and submit with their application a written public safety plan which shall be subject to the approval of the chief of the City of Brookhaven Police Department or their designee prior to the issuance of any alcoholic beverage license.

Advertisement of license application; Erection of sign – Sec. 4-206 (a)(b)

- Advertisement of license application required
- Upon applying to the city for a license to manufacture, distribute, dispense or sell alcoholic beverages, the applicant must post an advertisement of license application on the premises for which the license is sought
- Sign requirements
- The sign shall have a minimum size of 93 square inches and shall specify the nature of the license being requested
- The sign shall be posted on the premises in a conspicuous place which is observable by pedestrian and vehicle traffic passing such location for at least 14 days.
- Sign Shall not be removed until the applicant receives or is denied a license

Hours of operation; Sunday sales – Sec. 4-302

- *Hours of sale and operation for on-premises consumption licenses.* Alcoholic beverages shall be sold and delivered to the customer for consumption on the premises only during the following hours:
- Monday through Saturday hours are from 9:00 a.m. until 2:00 a.m. of the following day.
- Sunday hours are from 12:30 p.m. until 11:59 p.m.
- Sales during all other hours are prohibited. There shall be no consumption on the premises after prohibited hours have been in effect for thirty (30) minutes. All licensed establishments must close their premises to the public and clear their premises of patrons by 2:30 a.m. Tuesday through Sunday and 12:30 a.m. Monday and shall not reopen to the public until 9:00 a.m. or thereafter. These times and rules also apply to the section or area of a Grocery Store in which sales for consumption on premises occur.

Continued on next page.

- *Establishments that qualify for Sunday sales.* Holders of a Class C or Class H License qualify for Sunday sales of alcoholic beverages.
- *Sunday sales – certain exceptions.* Permitted hours of sale and operation for on-premises consumption shall be extended to match Monday through Saturday hours for establishments that are otherwise eligible for Sunday sales when the following days or events occur on a Sunday: New Year’s Day, NFL’s Super Bowl; the Sunday before the Martin Luther King Federal Holiday; March 17 (St. Patrick’s Day); May 5 (Cinco de Mayo); the Sunday before the Memorial Day Holiday; July 4 (Independence Day); Sunday before the Labor Day Holiday; October 31 (Halloween); and December 31 (New Year’s Eve). This section does not allow Sunday sales at establishments that do not qualify for Sunday sales.
- *Hours of sale and operation for off-premises consumption licenses.* Retailers may engage in the sale of alcoholic beverages only during the following hours:
 - Monday through Saturday hours are from 8:00 a.m. to 12:00 a.m. midnight.
 - Sunday hours are from 12:30 p.m. to 11:30 p.m.
 - Licensees may open their establishments for the sale of alcoholic beverages on any election day, except within 200 yards of any polling place.

Security/law enforcement presence at certain establishments – Sec. 4-311

- *Interior and exterior security personnel required.* All entertainment venues shall provide interior and exterior security personnel of a number equaling one (1) licensed security guard per each occupancy level of fifty (50) occupants or any portion thereof or as determined, with cause, by the chief of police or their designee. Security personnel must be properly licensed by the State of Georgia. Entertainment venues and security personnel must provide proof of licensing upon request of law enforcement.
- *Off-duty law enforcement officers required.*
 - In addition to the interior and exterior licensed security personnel required in subsection (a), all entertainment venues shall, at their expense, provide at least the required minimum number of off-duty law enforcement officers as determined by the chief of police or their designee. The chief of police or their designee may periodically review and adjust its recommendation as to the required staffing of off-duty officers, based on the availability of off-duty officers and current security conditions at the entertainment venue and within its vicinity.
 - Such off-duty officers shall commence service at 10:00 p.m. or as designated by the chief of police or their designee each evening the entertainment venue is open to the public later than 10:00 p.m. and ending one (1) hour after closing of said entertainment venue or as designated by the chief of police or their designee.
 - Entertainment venues are required to employ a minimum of two (2) off-duty law enforcement officers. For entertainment venues with a maximum capacity that exceeds one hundred fifty (150) persons, one (1) additional off-duty law enforcement officer is required for each one hundred fifty (150) persons or any portion thereof exceeding the first one hundred fifty (150) persons. Maximum capacity of the premises is as stated on the certificate of occupancy.

Security camera system required – Sec. 4-312

- Class C and Class D licensees and Class J permittees must install a security camera system of a type and number of cameras as approved by the chief of police. At minimum, each location must position security cameras such that each point of ingress and egress can be clearly recorded. The location of security cameras shall be approved by or determined by the chief of police or their designee. Establishments required to install a security camera system shall be responsible for the maintenance and daily check of said system and shall ensure that the system is functioning at all times when employees are present. Any and all data captured by the security camera system must be produced upon request of law enforcement.

Alcoholic Beverage Renewal Application Fee Schedule

- RENEWAL APPLICATIONS RECEIVED AFTER **NOVEMBER 30, 2018** SHALL BE ASSESSED A 10% LATE FILING PENALTY FEE, IN ADDITION TO A 1% LATE FILING INTEREST FEE.
- NO RENEWAL LICENSE SHALL BE GRANTED AFTER **DECEMBER 31, 2018**.
- Any application received after December 31, 2018 shall be treated as an initial application.
- All applications for a *Package Distilled Spirits License* must be accompanied by a full and complete statement relative to any and all interest in retail liquor stores. This shall include the names and addresses of all persons possessing a legal ownership in the subject establishment. [Ch. 4 Sec, 4-59(c)].

CHANGES:

- The applicant must make the Finance Department aware of ALL changes to information provided on initial application.
- All changes for renewal applications must be submitted to Avenu.

CHECK LIST

- Completed Renewal Alcoholic Beverage License Application sworn to by applicant before notary public or other officer authorized to administer oath. [Ch. 4 Sec. 4-59(d)].
- Submit on or before **November 30, 2018**.
- Please take note of the Revised Alcohol Beverage Ordinance. Be sure to review the entire ordinance for updates and changes.
- Please note the specific update in **Sec. 4-203(d)** of the revised ordinance, as additional documentation may be required as a result of this update.
- Sunday Sales must be purchased at City Hall.
- All licensed businesses serving alcoholic beverages for consumption on premises must submit their monthly Alcohol Excise Tax return. See ordinance below for more details.

TYPE OF LICENSE:

	<u>Annual Fee (s)</u>	<u>Administrative Fee(s)</u>
<u>CLASS B – MANUFACTURER</u>		
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
<u>CLASS C – CONSUMPTION ON THE PREMISES</u>		
<u>RESTAURANT</u>		
Distilled Spirits, Malt Beverage & Wine	\$4,900.00	\$300.00
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage & Wine	\$900.00	\$100.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
Patio Permit	\$50.00	
Additional Movable Bar(s) --Must provide numbers of item	\$300.00 each	
Additional Fixed Bar(s) --Must provide numbers of item	\$600.00 each	
Growler (Malt Beverage Only)	No Additional Fee	
<u>TAVERN/PUB</u>		
Distilled Spirits, Malt Beverage & Wine	\$7,500.00	\$300.00
Distilled Spirits	\$6,500.00	\$200.00
Malt Beverage & Wine	\$1,000.00	\$100.00
Malt Beverage	\$700.00	\$100.00
Wine	\$700.00	\$100.00
Patio Permit	\$50.00	
Additional Movable Bar(s) --Must provide numbers of item	\$300.00 each	
Additional Fixed Bar(s) --Must provide numbers of item	\$600.00 each	
Growler (Malt Beverage Only)	No Additional Fee	
<u>EVENT VENUE</u>		
Distilled Spirits, Malt Beverage & Wine	\$4,900.00	\$300.00
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage & Wine	\$900.00	\$100.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
<u>HOTEL/MOTEL</u>		
Distilled Spirits, Malt Beverage & Wine	\$4,900.00	\$300.00
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage & Wine	\$900.00	\$100.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
Patio Permit	\$50.00	
Additional Movable Bar(s) --Must provide numbers of item	\$300.00 each	
Additional Fixed Bar(s) --Must provide numbers of item	\$600.00 each	
Continued on Next Page		

CLASS C – CONSUMPTION ON THE PREMISES	Annual Fee (s)	Administrative Fee(s)
SPECIALTY SHOP		
Distilled Spirits, Malt Beverage & Wine	\$4,900.00	\$300.00
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage & Wine	\$900.00	\$100.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
Patio Permit	\$50.00	
Additional Movable Bar(s) --Must provide numbers of item	\$300.00 each	
Additional Fixed Bar(s) --Must provide numbers of item	\$600.00 each	
Growler (Malt Beverage Only)	No Additional Fee	
CLASS D. – PACKAGE/GROWLER		
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
CLASS E. – ANCILLARY PACKAGE		
Malt Beverage Tasting	\$75.00	\$0.00
Wine Tasting	\$75.00	\$0.00
CLASS F. – WHOLESALE		
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00
CLASS G. – COMPLIMENTARY SERVICE		
Distilled Spirits	\$100.00	\$100.00
Malt Beverage	\$50.00	\$50.00
Wine	\$50.00	\$50.00
CLASS H. – GROCERY STORE		
Distilled Spirits	\$4,000.00	\$200.00
Malt Beverage	\$600.00	\$100.00
Wine	\$600.00	\$100.00

Alcohol Excise Tax Ordinance (excerpt only)

Pursuant to the Chapter 4 Alcohol Beverage Ordinance, all licensed businesses in the City of Brookhaven that hold a valid City of Brookhaven Alcohol Privilege License to **serve Distilled Spirits for consumption on premises** must be responsible for submitting their monthly Alcohol Excise Tax returns. Below is an excerpt of Article 2 Excise Tax from the Chapter 4 Alcohol Ordinance.

Section 1: Tax Imposed on Sale of Drinks Containing Distilled Spirits

There is imposed and levied upon every sale of an alcoholic beverage purchased by the drink in the city a tax in the amount of three (3) percent of the purchase price of such beverage. Every licensee for the sale of alcoholic beverages by the drink operating a place of business in the city shall maintain detailed sales records indicating each transaction by beverage and food served, its price and total.

Section 2: Licensee to Collect and Remit

Every licensee or the licensee's agent shall collect the tax herein imposed from purchasers of alcoholic beverages by the drink sold within the licensee's licensed premises. Such licensee or agent shall furnish such information as may be requested by the finance department to facilitate the collection of the tax.

Section 3: Payment and Returns by Licensee

(a) Each licensee shall pay over the amount of taxes collected and coming due under this Article in any calendar month to the City not later than the **twentieth day of the following calendar month**.

(b) On or before the twentieth day of each month, a return for the preceding month shall be filed with the City of Brookhaven by each licensee liable for the payment of tax under this article. Returns shall be in such form as the City may specify and shall show the licensee's gross receipts from the sale of drinks containing distilled spirits and the amount of taxes collected or coming due thereon.

Any amounts collected in excess of three per cent (3%) of the taxable sales shall be reported and paid to the City.

(c) Licensees shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due, if said amount is not delinquent at the time of payment. The rate of deduction shall be the same rate authorized for deductions from State sales and use tax under O.C.G.A. § 48-8-50.

Forms can be found at www.avenuinsights.com. Online filing is also available at www.salestaxonline.com.