

**HOW TO OBTAIN A LIQUOR LICENSE  
IN THE CITY OF GUNTERSVILLE**

- 1. CHECK WITH THE BUILDING OFFICIAL 256-571-7564 OR THE CITY CLERK 256-571-7560 TO DETERMINE THAT YOUR LOCATION IS ZONED FOR THE LIQUOR LICENSE YOU WISH TO APPLY FOR.**
  
- 2. APPLY FIRST WITH THE STATE ABC BOARD. YOU MAY ALSO CALL OR GO TO THE HUNTSVILLE OFFICE 256-726-0401. YOU MAY CALL THE HUNTSVILLE OFFICE AND SET AN APPOINTMENT WITH THE LOCAL ABC AGENT WHO WILL MEET YOU IN GUNTERSVILLE.**
  
- 3. APPLY AT CITY HALL, 341 GUNTER AVENUE. FORMS ARE AVAILABLE ON THIS WEBSITE. AN APPLICATION FORM MUST BE COMPLETED AND A COPY OF DEED OR LEASE SUBMITTED.**
  
- 4. APPLICATION FEE OF \$100 (NON-REFUNDABLE) MUST BE PAID TO THE CITY.**
  
- 5. THE BACKGROUND RESEARCH IS NOW DONE BY THE STATE ABC OFFICE (THIS CAN TAKE UP TO 3 MONTHS) AFTER THE BACKGROUND CHECK IS RECEIVED, A PUBLIC HEARING WILL BE SET BY THE CITY COUNCIL. THE COUNCIL MEETS THE FIRST AND THIRD MONDAY OF EACH MONTH. YOU WILL BE REQUIRED TO ADVERTISE THE PUBLIC HEARING IN THE ADVERTISER GLEAM TWICE, ONE WEEK APART. YOU WILL BRING CERTIFICATION FROM THE ADVERTISER GLEAM TO THE CITY CLERK AND THE PUBLIC HEARING WILL TAKE PLACE AT THE DESIGNATED COUNCIL MEETING.**
  
- 6. AFTER COUNCIL APPROVAL THE STATE WILL SEND YOU YOUR STATE LIQUOR LICENSE. BRING IT TO THE CITY CLERK AND SHE WILL ISSUE YOUR CITY LIQUOR LICENSE. YOU MAY ALSO BE REQUIRED TO PROVIDE A HEALTH PERMIT AND THE FIRE MARSHALL'S APPROVAL.**
  
- 7. IF YOU HAVE A LIQUOR LICENSE, OTHER THAN JUST BEER OR WINE, YOU WILL BE REQUIRED TO PURCHASE A \$2500.00 BOND TO INSURE PAYMENT OF YOUR LIQUOR TAXES TO THE CITY. THE CITY WILL BILL YOU EACH MONTH FOR YOUR LIQUOR PURCHASED FROM THE ABC STORE AND YOU ARE REQUIRED TO PAY THE PROPER TAX TO THE CITY BY THE 15<sup>TH</sup> OF THE MONTH. FAILURE TO PAY BY THE 15<sup>TH</sup> WILL RESULT IN A PENALTY OF 15% AND THE CITY CAN SUSPEND YOUR LICENSE.**

## CITY OF GUNTERSVILLE

### Applicants Check List

**ALL items MUST be in the folder prior to being presented to the City Council**

- 1) Type of License Requested: \_\_\_\_\_
- 2) Application Completed: \_\_\_\_\_
- 3) Building & Property Location: \_\_\_\_\_
- 4) Current Zoning: \_\_\_\_\_
- 5) Copy of Lease or Deed: \_\_\_\_\_
- 6) ABI Release form(s): \_\_\_\_\_
- 7) Check or Money Order (\$25.00 each person) made out to ABI for Release of Information: \_\_\_\_\_
- 8) GPD Release form(s): \_\_\_\_\_
- 9) Acknowledgement of filing fee Signed: \_\_\_\_\_
- 10) \$100.00 Filing Fee: \_\_\_\_\_

**Before Public Hearing:**

**Publication affidavit: (Must be advertised two consecutive weeks in local paper) (Paperwork must be picked up at City Hall and Signed for):**

\_\_\_\_\_

**Before Issuing City Beverage License:**

- 1) Name of Bonding Company: \_\_\_\_\_  
Or Certificate of Deposit to You and City: \_\_\_\_\_
- 2) State License (Copy of for Files): \_\_\_\_\_
- 3) Certificate from Health Department (Copy of): \_\_\_\_\_

*City of Guntersville*  
Guntersville, Alabama 35976

	<u>TYPE OF LICENSE</u>	<u>FILING</u>	<u>STATE</u>	<u>FILING</u>	<u>CITY</u>
**	LOUNGE RETAIL LIQUOR	50.00	300.00	100.00	2500.00
**	RESTAURANT RETAIL LIQUOR	50.00	300.00	100.00	1000.00
**	CLUB LIQUOR CLASS I	50.00	300.00	100.00	1000.00
**	CLUB LIQUOR CLASS II	50.00	750.00	100.00	2500.00
	RETAIL BEER (ON OR OFF PREMISES)	50.00	150.00	100.00	75.00
	RETAIL BEER (OFF PREMISES ONLY)	50.00	100.00	100.00	50.00
	RETAIL TABLE WINE (ON/OFF PREM)	50.00	150.00	100.00	100.00
	RETAIL TABLE WINE (OFF PREM. ONLY)	50.00	150.00	100.00	75.00
***	RETAIL LIQUOR, WINE, BEER (OFF PREM. ONLY) (SAME AS PACKAGE STORE)			100.00	1500.00
	LIQUOR WHOLESAL	50.00	500.00		
	WHOLESALE BEER ONLY	50.00	550.00	100.00	250.00
	WHOLESALE WINE ONLY	50.00	550.00	100.00	275.00
	WHOLESALE BEER AND WINE	50.00	750.00	100.00	375.00
	WAREHOUSE	50.00	200.00		
	ADDITIONAL WAREHOUSE	50.00	200.00		
	SPECIAL EVENTS	50.00	150.00	100.00	150.DAY
	SPECIAL EVENTS (30 DAYS OR LESS)	50.00	100.00		
	SPECIAL RETAIL (MORE THAN 30 DAYS)	50.00	250.00		
	RETAIL COMMON CARRIER	50.00	150.00		
	MANUFACTURER	50.00	500.00		
	IMPORTER	50.00	500.00		

**\*\* NOTE:** THE CITY OF GUNTERSVILLE ALSO REQUIRES A BOND, CD, OR A BANK LINE OF CREDIT IN THE AMOUNT OF \$2,500.00  
YOU WILL ALSO BE REQUIRED TO PAY THE CITY OF GUNTERSVILLE A 10% TAX ON ALL LIQUOR PURCHASED FROM THE ABC STORE BY THE 15<sup>TH</sup> OF THE FOLLOWING MONTH.

**\*\*\*NOTE:** THE CITY OF GUNTERSVILLE ALSO REQUIRES A BOND, CD, OR A BANK LINE OF CREDIT IN THE AMOUNT OF \$2,500.00.  
YOU WILL ALSO BE REQUIRED TO PAY THE CITY OF GUNERSVILLE A 5% TAX ON ALL LIQUOR PURCHASED FROM THE ABC STORE BY THE 15<sup>TH</sup> OF THE FOLLOWING MONTH.

# CITY OF GUNTERSVILLE, ALABAMA

## Application for Beer, Wine or Liquor License

Date of Application: \_\_\_\_\_

Check the following Licenses for which you are applying:

Lounge _____	Restaurant _____
Beer (Off Premise only) _____	Beer (On & Off Premise) _____
Wine (Off Premise only) _____	Wine (On & Off Premise) _____
Package Store _____	Club, Class I or II _____
Tavern _____	Other _____

1. Name of Applicant: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_ Dr. Lic. #: \_\_\_\_\_

2. Names & Addresses of Partners, Members, Officers, or Directors: Attach a separate sheet if necessary:

Name	Title	DOB	Address

3. Type of Ownership: (Sole, Corp, LLC, Etc.) \_\_\_\_\_

Corporation or LLC Name: \_\_\_\_\_

4. Trade Name: \_\_\_\_\_

Location: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Zoning Classification: \_\_\_\_\_

5. Owner of Real Estate for which license is desired: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

6. Name of Manager: \_\_\_\_\_

7. Has Manager ever had an ABC License suspended, revoked or declined? \_\_\_\_\_

If so, Explain: \_\_\_\_\_

8. Do any of the Applicants own part of another business with a Liquor License? \_\_\_\_\_

If so, Name of Business: \_\_\_\_\_

9. Are the Applicants named above the only persons in any manner interested in the business sought to be licensed?

\_\_\_\_\_ If not, Explain: \_\_\_\_\_

10. Has applicant made application before for an ABC License: \_\_\_\_\_

If so, state disposition of application: \_\_\_\_\_

11. Has Applicant had an ABC License suspended, revoked or declined? \_\_\_\_\_

12. List below, the court records for Law Violations, if any, of each Applicant. Do not include Traffic Violations except DUI and Reckless Driving. If no record exists, state "NONE".

Name	Violation	Court	Date	Disposition

13. Applicant for a Club License shall also file the following:

- A) A certified copy of the Certificate of Incorporation and the Constitution and By-Laws of such club.
- B) A verified list of the Paid-up members of such club at the time of application with resident addresses of each.
- C) Name & Address of Manager of club. If the Manager changes, then the club shall notify the City Clerk within five days of such change, supplying the new information.
- D) A copy of any Certificate from the Internal Revenue Service or Treasury concerning any exemption of the Club from taxation.

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The undersigned agrees, if issued a License as hereinbefore requested, (1) To comply with all the provisions of the Laws of Alabama and particularly Title 28, Code of Alabama, as now and hereafter amended, and to obey all Rules and Regulations promulgated by the Alabama Alcoholic Beverage Control Board (The "Board"), relative to the handling of Alcoholic Beverages, and (2) To comply with all the provisions of the Laws and Ordinances of the City of Guntersville relative to Alcoholic Beverages, and particularly Ordinance No. 228 as now and hereafter amended, and (3) to allow any duly authorized agent of the Board and any duly commissioned Law Enforcement Officer of the State of Alabama, Marshall County, or City of Guntersville to enter and search without a warrant the Licensed Premises or any building owned or occupied by the Licensee in connection with, adjoining or adjacent thereto, whether connected or not, and whether used by the Licensee and his private dwelling or not, at any time. The undersigned understands that a violation of the State or City Laws or Rules and Regulations of the Board may result in a suspension or revocation of this license.

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Applicant for the Alcoholic Beverage License, Requested by the foregoing Applicant hereby swears or affirms that he or she read said application and all the statements therein are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Signed: \_\_\_\_\_ Title: \_\_\_\_\_

*City of Guntersville*  
*Guntersville, Alabama 35976*

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

**ACKNOWLEDGEMENT**

I certify that I have had the requirements of Ordinance No. 228 explained to me with reference to the \$100.00 filing fee.

If my application is denied, I will not receive a refund of the said \$100.00 filing fee.

\_\_\_\_\_  
Proposed Licensee

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Trade Name



# Guntersville Police Department

340 Blount Ave.  
Guntersville, Alabama 35976  
Phone (256) 571-7571



## CITY OF GUNTERSVILLE AUTHORITY TO RELEASE INFORMATION

I, \_\_\_\_\_, hereby authorize any representative of the Guntersville Police Department to collect information in reference to, but not limited to, my personal background, driving record and arrest record.

I further authorize the release of any and all information pertaining to me by any person to whom this authorization may be presented, in consideration of the fact that all such obtained information shall be pertinent information which would assist the City of Guntersville, Alabama, in evaluating my character and qualifications.

I hereby release from any liability anyone who collects such information or anyone that furnishes such information on my behalf. I further agree that a photostatic copy of this authorization shall have the same effect as the original.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

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

Driver's License Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Alabama Department of  
**Public Safety**

Colonel Gene Mitchell, Director  
I.A. Colonel I. N. Hagan, Assistant Director

REPLY MAY BE MADE TO:

Fulton J. Prevost  
ABI Headquarters

The requirements for obtaining criminal history information checks on non-criminal justice applicants are as follows:

- The applicants full Name, Race, Sex, Date of Birth, and Social Security Number
- A release form signed by the applicant (you must use the attached release form)
- A cashier's check, Bank or Postal Money Order in the amount of \$25.00 (per applicant) made payable to: Alabama Bureau of Investigation
- Mail request to: Alabama Dept. of Public Safety  
Alabama Bureau of Investigation  
Attn: Identification Unit  
P. O. Box 1511  
Montgomery, Alabama 36102-1511

If you have further questions on this matter, you may contact James Lewis at (334) 242-4372.

Sincerely,

Fulton J. Prevost  
Identification Unit Supervisor  
Alabama Bureau of Investigation

FJP/dlc



Instructions for completing the ABI – 46  
Release Form

1. State and County where applicant resides.
2. Applicants Name, Street Address, City and State.
3. Provide the name of Agency/Person and their mailing address. This is the Agency/Person ABI will mail its response to. **NOTE: If the request is for FBI Information, you must enter the address of the Department of Human Resources.**
4. Provide the Date, the Applicants' Signature, Social Security Number, Date of Birth, Race and Sex.
5. The release form must be either Notarized by a Notary Public or Witnessed by two individuals. The witnesses must sign the release form and provide their mailing address.
6. The person who will receive the Criminal History Information and be responsible for its security, must sign his/her name and provide his/her Social Security Number.

STATE OF Alabama

RELEASE FORM

COUNTY OF Marshall

ABI - 46 ( 3 / 94 )

My name is \_\_\_\_\_, I reside at \_\_\_\_\_,  
City of \_\_\_\_\_, State of \_\_\_\_\_, Zip Code \_\_\_\_\_.

I am possessed of sound mind and legally competent to execute this release. I hereby authorize the Alabama Department of Public Safety to release any and all criminal history information they have on me to Betty Jones, located at 341 Gunter Avenue  
City of Guntersville, State of Alabama, Zip Code 35976.

I do hereby for myself, my heirs, executors, and administrators release and forever discharge the Alabama Department of Public Safety and its officers and agents from any and all claims, actions, or causes of action which may arise as a consequence of the release of the criminal history information.

I certify that I have read this release and that I understand the significance of the same and in witness thereof I have voluntarily signed my name on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature \_\_\_\_\_

SSN \_\_\_\_\_

Date of Birth \_\_\_\_\_ Race \_\_\_\_\_ Sex \_\_\_\_\_

Witness: \_\_\_\_\_

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

Address: \_\_\_\_\_

Notary Public  
My Commission expires: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Witness: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Betty Jones  
Signature and SSN of Person Requesting Record

**PLEASE NOTE:** This document must be witnessed by two (2) witnesses, or notarized by a Notary Public, and must be accompanied by a cashiers check or a bank or postal money order In the amount of \$25.00 made payable to: ALABAMA BUREAU OF INVESTIGATION.

MAIL TO: Identification Unit  
Alabama Bureau of Investigation  
P.O. Box 1511  
Montgomery, AL 36102-1511

*City of Guntersville*  
*Guntersville, Alabama 35976*

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

NOTICE TO ALL APPLICANTS:

The attached notice of public hearing for a request of a \_\_\_\_\_ License must be printed in the local paper once a week for two consecutive weeks prior to the public hearing.

Proof of publication must be provided to the City Clerk's office prior to the public hearing on \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Applicants Signature

\_\_\_\_\_  
Witness Signature

*City of Guntersville*  
*Guntersville, Alabama 35976*

"Notice is hereby given that \_\_\_\_\_

Doing business as \_\_\_\_\_

Located at \_\_\_\_\_

Has made an application for the City of Guntersville City Council to approve the issuance of a \_\_\_\_\_

License by the Alabama Alcoholic Beverage Control Board and that the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

at \_\_\_\_\_ p.m. has been set for the hearing thereof at the Guntersville City Council meeting. Any interested persons may appear at said time and place and be heard for or against the granting of such approval."

STATE OF ALABAMA \*
MARSHALL COUNTY \*

BOND NO. \_\_\_\_\_

TAX BOND FOR SELLING ALCOHOLIC, SPIRITUOUS, VINOUS OR FERMENTED LIQUOR AT RETAIL.

KNOW ALL MEN BY THESE PRESENTS:

That We, \_\_\_\_\_, of Guntersville, County of Marshall, State of Alabama, as Principal, (Hereinafter called "PRINCIPAL"), and \_\_\_\_\_

(Name of Surety)

of \_\_\_\_\_, as Surety, (Hereinafter called "SURETY"), are held and firmly bound unto the CITY OF GUNTERSVILLE, ALABAMA, A Municipal Corporation, in the sum of TWO THOUSAND FIVE HUNDRED & NO/100 DOLLARS (\$2,500.00), for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that:

WHEREAS, The Principal has applied to the City Clerk of Guntersville, Alabama, for a license as a retailer of alcoholic, spirituous, vinous or fermented liquor in Guntersville, Alabama, under the provisions of Ordinance No. 561 approved August 6, 1984 and has applied to the Alcoholic Beverage Control Board of the State of Alabama for the approval of Principal as a retailer of alcoholic, spirituous, vinous or fermented liquor under the laws of the State of Alabama; and

WHEREAS, The Alcoholic Beverage Control Board and the City of Guntersville, Alabama, A Municipal Corporation, has authorized the issuance to Principal of such license as a retailer of alcoholic, spirituous, vinous or fermented liquor in Guntersville, Marshall county, Alabama and has approved the Principal as such retailer of such alcoholic, spirituous, vinous or fermented liquors, subject to the execution of this bond.

NOW, THEREFORE, in consideration of the premises:

(a) If the Principal shall promptly file with the City Clerk of Guntersville, Alabama, true reports, as required by law, showing the total purchases, receipts or procurements by the Principal of alcoholic, spirituous, vinous or fermented liquor, and shall promptly pay to the City of Guntersville, Alabama, A Municipal Corporation, any and all license and excise taxes on the total purchases, receipts or procurements of alcoholic, spirituous, vinous or fermented liquor, which may now or hereafter be levied or imposed, and which may now be due or which may thereafter become due by the Principal to the City of Guntersville, Alabama, A Municipal Corporation, together with all penalties and interest thereon, and shall faithfully comply with the provisions of said Ordinance No. 561 of the City of Guntersville, Alabama, A Municipal Corporation; and

(b) If the Principal shall promptly, on or before the 15th day of each calendar month, file with the City Clerk of Guntersville, Alabama, true and correct reports, or statements, showing the total purchases, receipts or procurements of alcoholic, spirituous, vinous or fermented liquor made by the Principal during the next preceding calendar month, and shall furnish to the said City Clerk of Guntersville, Alabama such other

information as he may deem or require upon blanks or forms approved and furnished for such purpose, as required by law, and shall promptly pay to the city of Guntersville, Alabama, A Municipal Corporation, the amount of all license and excise tax now due by the Principal to the City of Guntersville, Alabama, A Municipal corporation, or which may hereafter become due by the Principal to the City of Guntersville, Alabama, A Municipal Corporation, under the provisions of said Ordinance No. 561 , together with all penalties and interest thereon, and shall faithfully comply with other applicable provisions of said Ordinance No. 561 of the City of Guntersville, Alabama, A Municipal Corporation, which may be adopted while this bond is in force and effect, then this obligation shall be null and void; otherwise, the same shall remain in full force and effect.

The terms "hotel", "restaurant", "club", "corporation", "liquor", "malt or brewed beverages", "wine", "municipality", "package", "person", "sale", or "sell" and all other terms defined in Section 1 of Ordinance No. 561 of the City of Guntersville, Alabama, A Municipal Corporation, shall be considered and construed in accordance with the definitions of such terms of said Act.

It is expressly understood and agreed that neither this obligation nor any liability thereunder shall be released or the validity thereof affected by reason of the adoption of any Ordinance in lieu of or amendatory to said Ordinance No. 561, or any provision of provisions thereof; but, this obligation shall continue in full force and effect with respect to said statutes or any amendments hereto or changes therein, which may be adopted before the cancellation of this obligation as herein provided, or before the actual cancellation and surrender of this obligation by the City of Guntersville, Alabama, A Municipal Corporation, pursuant to any law now existing or hereafter adopted relating thereto.

The surety on this bond may be released and discharged from any and all liability to the City of Guntersville, Alabama, A Municipal Corporation, accruing on this bond after the expiration of sixty (60) days from the date upon which said surety shall have filed with with the City Clerk of the City of Guntersville, Alabama, A Municipal Corporation, written request to the released and discharged; provided, however, such request shall not operate to relieve, release or discharge such surety from any liability already accrued or which shall accrue before the expiration of the said sixty (60) day period.

IN WITNESS WHEREOF, We have hereunto set our hands and seals on this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

\_\_\_\_\_  
By:

\_\_\_\_\_  
Title of Officer

Approved:

\_\_\_\_\_  
City Clerk of the City of Guntersville,  
Alabama, A Municipal Corporation



City of Guntersville

341 Gunter Avenue
Guntersville, AL 35976
(256) 571-7560

Business Information:

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Contact: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Business License Information:

Date Application Given \_\_\_\_\_ By \_\_\_\_\_

License Type & Schedule(s) \_\_\_\_\_

If based on "Cost of Job" please give GROSS of job \$ \_\_\_\_\_

License Amount \$ \_\_\_\_\_ Issue Fee \$ \_\_\_\_\_ Penalty Due \$ \_\_\_\_\_

Amount Due after approval \$ \_\_\_\_\_

Building Inspection Office 256-571-7564

Ed Crabtree, Building Inspector

Kim Whitmore, Building Inspector

Carl Fulmer, Ordinance Enforcement Officer

Certificate of Occupancy: \_\_\_\_\_ Building Permit: \_\_\_\_\_

Zoning Classification: \_\_\_\_\_ Signs (Design Board): \_\_\_\_\_

Building Insp. Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Fire Marshal Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Ordinance Enforcement Officer Approval: \_\_\_\_\_ Date: \_\_\_\_\_

As Applicable

Guntersville Police Dept. 571-7571 (Alarm Permit) \_\_\_\_\_

Marshall County Health Dept. 582-3174 (Health Permits)

Approval/Permit# \_\_\_\_\_ Date: \_\_\_\_\_

Sales Tax Number or proof of application (334) 242-1490: \_\_\_\_\_

State Issued "Certified" Cards (attach copies as necessary): \_\_\_\_\_

State & County Business License: (Marshall Co. Probate Office 571-7725) \_\_\_\_\_

Business ID#: \_\_\_\_\_ Date Issued: \_\_\_\_\_ License #: \_\_\_\_\_ Clerk: \_\_\_\_\_