

City of Fitzgerald
302 East Central Avenue
Fitzgerald, Georgia 31750



(229) 426-5060
(229) 426-5066 Fax
www.fitzgeraldga.org
fitzcity@mchsi.com

INSTRUCTIONS

ALCOHOL EMPLOYEE POURING PERMIT I.D. CARD APPLICATION

1. **Application Fee is \$50.00.** Check, money order or cashier's check should be made payable to the City of Fitzgerald.
2. **Alcohol Employee Pouring Permit Application:** Complete Sections 1 – 3. Date and Sign.
3. **Affidavit Verifying Status for City of Fitzgerald Public Benefit:** The City of Fitzgerald is required by Georgia law to verify the lawful presence in the United States of any person 18 years of age or older who applies for local public benefits that are administered by the City of Fitzgerald. Please list full name of applicant and name of business. Check the appropriate line for either United States citizen or legal permanent resident. ***Please note that you MUST sign in the presence of a Notary Public.***
4. **Consent Form:** This form gives authorization for the City of Fitzgerald to receive any criminal history record information which may be in the files of any state or local criminal justice agency in Georgia. Please list full name, address, sex, race, date of birth and social security number. ***Please note that you MUST sign in the presence of a Notary Public.***
5. After all documents have been completed, signed, notarized and Application Fee paid to the City of Fitzgerald, the Application packet should be taken to the Fitzgerald Police Department. The Chief of Police will complete a record check/background history on applicant. If all regulations are in order, the Chief of Police will issue an Employee Alcohol Permit (Alcohol Pouring I.D.) which will be valid for a two-year period and shall be renewed on or before its expiration date.

Applicants should review and be familiar with Sec. 4-251 of City Ordinance Number 10-1426 in reference to Employees of on-premises consumption liquor by the drink licensees; permit required. A copy is attached in this packet for your review.

agents of the city.

Sec. 4-251. Employees of on-premises consumption liquor by the drink licensees; permit required.

(a) The following regulations regarding employees shall apply to all establishments holding a license for liquor by the drink on the premises:

(1) No person other than an individual licensee shall be employed by an establishment holding a license hereunder until such person has been issued a permit indicating that such person is eligible for this employment. However, a seven-day grace period shall be given from the date of employment until the permit is issued. The permit shall be provisional until the chief of police has had applicant fingerprinted, photographed and cleared by the city's police department after a computerized background check. If the applicant's background check reveals a record that would make the employee ineligible to keep a permit, the chief of police shall revoke the permit. The permit issued to a person under this section shall be an alcohol service permit, which shall be issued only to a person who must be at least eighteen (18) years of age and who sells, serves or dispenses liquor by the drink: or is employed as a manager, host, hostess, doorman or bouncer in such establishment. A permit shall be valid for a two-year period, and shall be renewed on or before its expiration.

(2) The chief of police or his designee shall investigate all applications for alcohol service permits made pursuant to this section. The chief of police may refuse to issue an alcohol service permit to any proposed employee who:

a. Has been convicted of a felony within a period of five (5) years immediately prior to the date upon which the application for an alcohol service permit was made.

b. Has been convicted of two (2) or more misdemeanors within two (2) years immediately preceding the application for an alcohol service permit. Misdemeanors will be defined as violations other than minor traffic violations such as speeding, stop sign, failure to yield, following too closely, etc. The two (2) convictions for misdemeanor violations for which the violator was convicted should have arisen at different times.

c. Has been convicted within a period of five (5) years immediately preceding the application of any of the following offenses:

1. Pandering, prostitution or soliciting prostitution;

2. Gambling;

3. Illegal sale of controlled substance or narcotic;

4. Where the record indicates such employee would adversely affect the public health, safety or welfare or violate the law.

d. This subsection shall apply with respect to the laws of this state, other states, the United States, and other countries. A plea of nolo contendere or the forfeiture of a bond shall be considered a conviction for the purposes of this subsection.

(3) A permit shall be issued provisionally in the first seven (7) days of employment upon a signed application and payment of an application fee having been filed with the chief of police; until a search of the criminal record of the applicant has been completed. The application fee shall be \$50.00. Such application shall include, but shall not be limited to, the name, date of birth and prior arrest record of the applicant, though the fact of an arrest record shall be used for investigative purposes only, and shall give rise to no presumption or inference of guilt. Due to the inclusion of arrest information, these applications shall be regarded as confidential and shall not be produced for public inspection without a court order.

(4) The chief of police shall have a complete and exhaustive search made relative to any police record of the person fingerprinted or cleared. In the event there is no record of a violation of this article, the chief of police shall issue a permit to the employee, stating that the person is eligible for employment. If it is found that the person fingerprinted or cleared is not eligible for employment, the Chief of Police shall notify by letter the applicant and the employer that this person is not eligible for employment.

(5) It shall be the duty of all persons holding any license to sell liquor by the drink to file with the chief of police as part of their liquor by the drink license renewal application the name of the establishment, the license number and a list of all employees, with their most recent local addresses and telephone numbers, and social security numbers. An applicant for an initial license shall furnish the same information prior to the date when on premise consumption sales are authorized to begin.

(6) All permits issued through administrative error or through an error in completion of a background investigation can be terminated by the chief of police.

(7) This section shall not be construed to include employees whose duties are limited solely to those of delivery driver, busboy, cook, or dishwasher.

(8) No licensee shall allow any employee required to hold a permit to work on the licensed premises unless the licensee has on file, on the premises, a clearly legible copy of the current, valid permit of each such employee. The employee must keep the original permit on his person when at work in a licensed establishment, though it need not be publicly displayed.

(9) In the event that any permit holder leaves the employ of a licensed establishment, the licensee shall immediately notify the city police department.

(10) All permits issued hereunder remain the property of the city and shall be produced for inspection upon the demand of any officer of the city police department or a state law enforcement officer with jurisdiction in such matters.

(11) The chief of police may revoke the permit and demand its return where the employee violates the provisions of this article or becomes one who adversely affects the public health, safety, or welfare. The first such offense shall result in a suspension of the permit for one hundred twenty (120) days. Any subsequent offense shall result in revocation of the permit, and the employee being ineligible to reapply for such a permit.

(12) When any employee permit is revoked, the chief of police shall issue a letter to the permit holder, and a copy to the licensee for whom he works, stating that the person does not meet the requirements of this article.

(13) It shall be unlawful for an employee whose permit has been revoked and upon whom demand for return of the card has been made, to refuse to return the card, or to alter, conceal, deface, or destroy the card.

(14) A new search may be conducted on any person issued a permit if the chief of police receives information which warrants such a new search. If the new search reveals evidence that warrants revocation of the permit, he may revoke the permit.

(b) It shall be unlawful for any employee to dance or sit with customers in the premises or for any customer to be permitted to purchase food or drink for such employees in such premises.

(c) Nothing herein shall in any way be construed to limit the liability of the licensee for the conduct of its employees. Any violation of this article by an employee remains a violation of this article by the licensee, who is subject to fines, suspension, or revocation as set forth herein.

Sec. 4-252. Drive-through sales of alcoholic beverages prohibited.

(a) It shall be unlawful for any person to sell or offer for sale any alcoholic beverage within the city by means of drive-through sale.

(b) For purposes of this article, the term "drive-through sale" means the sale of alcoholic beverages by any means that allows the customer to remain in his vehicle.

DIVISION 5. EMPLOYMENT OF UNDERAGE PERSONS

Sec. 4-253. General prohibitions.

(a) No liquor by the drink licensee shall allow any employee under the age of eighteen (18) years to dispense, sell, serve, take orders for, or handle alcoholic beverages.

(b) This section shall not prohibit the employment of persons under the above ages on licensed premises where such persons do not dispense, sell, serve, take orders for, or handle alcoholic beverages.

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Alcohol Employee Pouring Permit Application

I. D. CARD

APPLICATION MUST BE COMPLETED IN FULL AND SUBMITTED TO THE CITY OF FITZGERALD WITH PAYMENT IN THE AMOUNT OF \$50.00.

1. Applicant Name: _____ Social Security Number: _____ - ____ - ____

Last NameFirst NameMI

Gender: (Check One) ☐ Male *or* ☐ Female Date of Birth: ____/____/____

Maiden, Married, Alias or Other Names Used: _____

Drivers License Number: _____ State Issued: _____

Race: _____ Birthplace: (City, State & Country) _____

Home Phone: _____ Mobile Phone: _____
2. **Address Information** – list all home addresses over the past five (5) years.
Current Address: _____
City: _____ State: _____ Zip Code: _____
Previous Address: _____
City: _____ State: _____ Zip Code: _____
Previous Address: _____
City: _____ State: _____ Zip Code: _____
3. Business of Employment: _____
Location Address: _____
Job Title: _____ Supervisor: _____
Phone Number: _____ Length of Employment: _____

I hereby certify, under penalty of perjury, that statements made herein are to be best of my knowledge true and correct.

Applicant Signature: _____ Date: _____

OFFICE USE ONLY

APPROVED: ____ DENIED: ____

PERMIT NUMBER: _____

APPROVAL DATE: _____

EXPIRATION DATE: _____

APPROVED/DENIED BY: _____

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***Affidavit Verifying Status for City of Fitzgerald
Public Benefit Application O.C.G.A. Section 50-36-1(e)(2)***

By executing this affidavit under oath, as an applicant for a City of Fitzgerald, Georgia Business License, or Occupation Tax Certificate, Alcohol License, Taxi Permit or other public benefit as referenced in O.C.G.A. Section 50-36-1, I am stating the following respect to my application for a public benefit:

As a representative of _____
(The name of business, corporation, partnership or private entity)

- 1) _____ I am a United States citizen.
- 2) _____ I am a legal permanent resident of the United States.
- 3) _____ I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: _____.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as:

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in _____ (city), _____ (state).

SUBSCRIBED AND SWORN BEFORE ME ON
THIS _____ DAY OF _____, 20____

Notary Public
My Commission Expires:

Signature of Applicant

Printed Name

Date

{SEAL}

FITZGERALD POLICE DEPARTMENT

Record Check for Alcohol License

EMPLOYEE POURING PERMIT I.D. CARD

Consent Form

I hereby authorize the City of Fitzgerald, located at 302 East Central Avenue, Fitzgerald, Georgia 31750, to receive any criminal history record information pertaining to me which may be in the files of any state or local criminal justice agency in Georgia.

Full Name: (Print)

Address

Sex

Race

Date of Birth

Social Security Number

Signature

Date

NOTARY PUBLIC

NOTARY EXPIRATION DATE

Private Individuals – Public and Private Agencies:

If a licensing decision adverse to the record subject is made, the record subject must be informed by the Individual or Agency making the adverse decision of all information pertinent to that decision. This disclosure must include information that a criminal history record check was made, the specific contents of the records, and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision is a misdemeanor. I have read and understand the above statement.

City of Fitzgerald
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Deputy Administrator

FOR OFFICE USE ONLY:

Record Check made by: _____ Date: _____