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<u>Example:</u> ordinance language needs to be reviewed and modified to be consistent with current case law rulings.	<u>Example:</u> The language of the ordinance cannot be in conflict with Court decisions that have been handed down since the ordinance was last updated. One example of this need for updating comes through the Marietta vs Goldrush case, which addressed the property owner's right to an alcohol license.	<u>Example:</u> Identification of conflicting language and then editing/correction of conflicting language.	<u>Example:</u> Law Dept and License & Permits to undertake review of ordinance to identify conflicting language. Law Dept to bring forward recommendations to address conflicting language.
Provide sufficient guidance on role of Neighborhood Planning Units (NPU's).	Ensure the City's Alcohol Code reflects the reality of what neighborhoods can actually do when it comes to influencing/impacting the issuance of beer, wine and/or liquor licenses. Make this clear to communities so they can be more effective in addressing the issues associated with owners of such licenses.	City attorney to review section 10-48 with APAB; Add language of 10-48 to NPU Report Form	City attorney's office and city APAB staff
Timeliness of the NPU process.	Often NPUs will refer the license application to a Public Safety sub-committee for review and recommendation.	City attorney to review section 10-48 (60 day/1 meeting limitation) with APAB; Add language of 10-48 to NPU Report Form	City attorney's office and city APAB staff
Lack of enforcement of Chapter 10 violations.	License and Permits Unit does not have enough staff to vigorously surveil, identify and cite violators. As a result, problem locations grow into loci of criminal and/or nuisance activity.	City council resolution requesting Mayor Reed to add police officers to APD licenses and permits unit	Resolution from City Council Public Safety Committee
Revise and streamline the application process.	The application is long, confusing and does not reflect the language of the Code of Ordinances. The application must clearly reflect the language of the code. It also requires too much time on the part of both the License & Permits Unit as well as the applicant.		
License applicants should be should be fully knowledgeable of the relevant Code.	During License Review Board meetings applicants are simply asked if they are familiar with the Code and perhaps one or two other questions. This is not sufficient to demonstrate a true understanding of the Code.	Applicants for alcohol licenses should be tested for their understanding of the City's Alcohol Code.	
Alcohol servers should be fully knowledgeable of the relevant Code.	Servers without a proper and thorough knowledge of the Alcohol Code endanger the public, the establishments's customers and the holder of the alcohol license.	Individuals serving alcohol should be tested for their understanding of the City's Alcohol Code.	
Tighten the license renewal process.	The license renewal process should review for violations/citations/911 calls during the prior year.		
Clarify Code as pertains to due cause and denial provisions. City departments are understaffed.	The City Solicitor and APD License & Permit Unit need staffing increase to adequately administrate, enforce and prosecute cases.	City council resolution requesting that Mayor Reed direct resources to these offices	

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Clarify use of license fees.	Are the license fees charged to applicants being used solely for the licensing process.	Review police department budget	
Should permit/pouring licenses be required. Consistency between regulation and enforcement. Due cause criteria inadequate and/or ineffective.	Criteria listed are inadequate and/or poorly worded making interpretation subjective. Enforcement of the listed criteria is not taking place.		Research how neighboring jurisdictions implement such permits.
Language in ordinance needs improvement to remove ambiguity and to increase clarity - various clauses.	There are a number of clauses in the ordinance that need to be reworded to better express the intent of the ordinance.		
No training or certification requirements for alcohol servers. Application info is not easily available.	Ordinance does not establish any minimum training or certification standards for bartenders or waiters/waitresses who serve alcohol. Application information is not available on-line and has to be requested of the APD. APD records are all paper based and are not easily accessible to staff or to the public.		
Application status is not available.	Once an application is under review, there is no mechanism through which an applicant or the public can track the review process and status of the different stages of the review.		
Role of the LRB	Function of LRB does not add any value to the license review and approval process. Function is purely administrative for the majority of license applications. For those situations where an application is being contested, the LRB process does not achieve an equitable balance of community and applicant interests.		
Role of the Mayor	Role of Mayor's office in giving final approval to alcohol licenses does not add any value to the review and approval process.		

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Applicant knowledge	Applicant is not required to demonstrate knowledge of the ordinance. There should be an objective measure of the applicant's knowledge of the ordinance, demonstrated at the time of application of the license, and perhaps periodically every X years after that.		
License categories do not reflect actual practice at licensed locations.	Locations that operate as restaurants and then switch to being bars later at night put pressure on neighborhoods with increased noise, trash, parking and other quality of life impacts.		
Inconsistent administration of the license review process between NPUs.	The review and comment process varies from one NPU to the next with no consistent approach or decision making tools being used across the City.		
Capacity of License & Permits to properly administer the alcohol license program.	Limited staff, limited resources and complicated workflow processes make the process of applying for and obtaining a license a challenging one for business owners.		
No audit function.	There is no internal or external audit function associated with the issuance and renewal of alcohol licenses.		
Limited background checks.	Background checks are run only on the applicant/agent and not on all of the persons involved with the ownership of the business. Not clear whether background checks of violations in other jurisdictions are also considered as part of background check or renewal process. Mike Sard: This is not so. 100% of ownership interest of private companies are identified and when individuals, are subjected to criminal background investigations.		
Applicants pay for either a one year or a six month license, with no option for smaller initial license increments.	If an applicant submits an application for a license during months 1 through 5, they have to pay for a 12 month license. If an applicant submits an application for a license during months 6 to 12, they have to pay for a 6 month license. There is no option to pay a license fee based on just the number of months remaining in the calendar year.	Amend alcohol code to allow monthly proration of license fee.	

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Temporary permits	No notification provided to NPU when a temporary permit is applied for or issued. Addition by Renee: There is no formal process other than the police Chief approving the license. No one individual should have the power to approve a license without supporting evidence of applicants business practices and community input. Mike Sard: Such licenses are revocable without cause and are only used for previously licensed establishments. The temporary license must be for the same type business as the former license i.e., "restaurant with malt beverages, wine and distilled spirits without live entertainment"		
Excessive cost of legal advertisement of alcohol license applications in Atlanta Journal Constitution (typically \$1600 - \$2100)	Fewer people read newspapers. The cost is excessive. AJC has moved out of Atlanta.	ATAG suggest legislation for alternative means such as Fulton County Daily Report or Posting on City of Atlanta website. Consider eliminating requirement as License Review Board agenda is published on the City of Atlanta website.	
Unclear from application whether applicant applying for full year or half year license		APD to add check box to page 1 of application indicating whether license is for 7 -12 months or 1 - 6 months	
Practice of Bring Your Own Bottle (BYOB) to businesses	Some businesses that hold alcohol licenses permit customers to bring their own alcohol. The alcohol code identifies businesses that allow guests to BYOB to be "bottle houses" and requires that a bottle house license issue. However, the City of Atlanta has not granted a "bottle house" license is many, many years	Adopt a law to permit BYOB at businesses licensed for on premises consumption without requirement for additional licensing	Public Safety Committee to introduce law at suggestion of ATAG

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City of Atlanta does not have a law that authorizes catering of alcohol, although authorized by state law

State law empowers local governments to regulate retail licensees to cater alcoholic beverages off premises. The City does not have such an ordinance. Instead on premises consumption licensees may apply for no more than 2 special event licenses each calendar year. The 2 event limit restricts the ability of licensees to lawfully cater events. Also, special event licenses are expensive (\$500 per day) and require much advance planning (filed at least 30 days in advance). Businesses who abide by the law lose out on business opportunities to those caterers who cater functions without an alcohol license. Also, the public is at risk because non-licensees are catering events with alcohol in the city of Atlanta.

Adopt a catering alcohol license in accordance with state law.

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City of Atlanta non - profit special event law does not conform to state law

State law authorizes non-profits to hold as many as six (6), three (3) day event each year. The city code authorizes only six (6), one (1) day permits

Amend existing law in accordance with state law

Public Safety Committee to introduce law at suggestion of ATAG

Unlike other local governments, the City of Atlanta does not have a mechanism to create exemptions to the distance requirements in the alcohol code short of the creation of new laws.

As in Cobb County and Athens Clarke County, create a process for applicants to request and for the City of Atlanta to evaluate a process to waive distance requirements for alcohol licenses.

Amend existing law.

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Authorize licenses to two (2) parties for one premise in condominium function areas

Several condominiums in Atlanta have function space that is shared by the condominium association and by management companies who manage such buildings. Under current law, only one (1) of them (the condominium association or the management company) can hold a license for the function space. If the management company holds the license, the condominium association pays extra charges for alcohol. If the condo association holds the license, both the condo association and the management company loses revenue opportunities for leasing the function space.

Amend existing law to allow two (2) licensees for these type spaces.

Public Safety Committee to introduce law at suggestion of ATAG.

Tailgate parties and other private functions at locations for which business licenses are issued are prohibited without an alcohol license

Venues too small to be convention centers where special events are held formerly allowed guests to BYOB for private functions. Alcoholic beverages were not sold at these functions. A city law adopted in August 2011 now requires such functions to be licensed. However, this is not cost effective for these small businesses. Also, the law in effect, prohibits attendees of Falcons games from having a private tailgate party with alcoholic beverages in pay parking lots.

Amend existing law to assure that desired harm - unauthorized parties for pay - are regulated while truly private functions can continue.

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3/7/2012

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<p>Additional facility alcohol license fees are excessive and nonsensical</p>	<p>The cost of an additional facility alcohol license is equal to the cost of an annual alcohol license. However, it seems that the city does not need twice the fee to regulate the alcoholic beverages at such businesses. Also, regardless of the size and capacity of a business, whether an additional facility license is required is determined by visibility of two (2) points of sale from one another often resulting in equitable licensing costs. To illustrate, a 20,000 square foot, one story space with ten (10) bars and capacity for 1,500 people would pay one (1) annual license fee, typically \$5,000. However, a two (2) story 1,000 square foot building with capacity of 60 people and a bar on each floor would pay one (1) annual license fee, typically \$5,000 PLUS one (1) additional facility license fee, typically \$5,000 for a total of \$10,000.</p>	<p>Create license pricing and number of licenses based on capacity of business or dramatically reduce the price of additional facility licenses.</p>	<p>Public Safety Committee to suggest new law at suggestion of ATAG</p>

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Time of receipt of alcohol license should be more predictable and less dependent upon the mayor's schedule

While current law authorizes the mayor to issue alcohol licenses based on building plans submitted to the Bureau of Building, Fire Department, etc. at the conclusion of the filing/NPU/LRB process, the mayor routinely does not exercise this authority. As a result, once the applicant completes filing/NPU/LRB process and then completes construction i.e., receives C.O., food service permit and fire department final approval, only then does the mayor consider the application based on his schedule. However, after a licensing process of many months, it is frustrating for a licensee, who has trained its staff, who has marketed its opening and who is paying various expenses without revenue, to wait for the mayor to approve an application while other more pressing city issues justifiably occupy his or her attention.

Amend the law to allow the mayor to APPROVE licenses "subject to final inspection" so that the mayor can promptly consider applications and in such cases, authorize the business license office to ISSUE the alcohol license upon receipt of the C.O., food service permit and final fire approval. This will allow for more orderly openings of business and will alleviate stress in the licensing process.