

**Acworth Alcohol
Manager Permit Application**

Return Application & Fees to City Clerk's Office
Application Fee \$31.50
Fingerprinting \$25.00 (for new applications only)
Background Ck \$20.00 (for new & renewal)

Date of Application _____ New or Renewal Application? _____

Business Name _____

Business Address _____

Business Phone No. _____ Applicant Phone No. _____

Name of Applicant _____

Maiden Name _____ Any/All nicknames or aliases _____

Home Address _____

City, State, Zip Code _____

Date of Birth _____ Social Security Number _____

Place of Birth (Country) _____ State _____

Race _____ Sex _____ Height _____ Weight _____ Eye Color _____ Hair Color _____

Driver's License State _____ Driver's License Number _____

Your position/title at the business _____

Date employed by establishment _____

******Any person who has been convicted of a violation of any law or ordinance governing the sale of alcoholic beverages or sale or possession of illegal drugs in the past 12 months shall be ineligible to receive a manager's permit ******

Have you ever been fingerprinted? _____ If yes, list when, where, and why _____

Have you ever been **arrested** or **convicted** of a FELONY? _____ If yes, list dates, charges, police agencies, and disposition of charges _____

Have you ever been **arrested** or **convicted** of a MISDEMEANOR? _____ If yes, list dates, charges, police agencies, and disposition of charges _____

I swear that the information contained within this application to be the truth and that it contains no falsifications or misrepresentations of the facts. I hereby authorize Acworth Police Department and/or any duly authorized agent to obtain and review copies of any criminal and/or driver's histories in my name or any alias used by me in the past or at the present. I understand that this information may be used against me during the course of this investigation.

Signature

Date



Acworth Police Department Consent Form



I hereby authorize the Acworth Police Department to receive any criminal history record information pertaining to me, which may be in the files of any national state or local criminal justice agency. I hereby authorize the Acworth Police Department to release all criminal history record information received to:

_____ care of _____.

Full Name (print)

Maiden Name / Previous Name / Alias

Street Address

City

State

Zip Code

Date of Birth

Social Security Number

Race:

- A – Asian, Asian Indians, & Other Non-
- I – American Indian or Alaskan Native
- B – Black
- W – White (Includes Mexicans & Latins)
- U – Unknown / Other

Sex:

- Male
- Female

Signature

Date

Signed and sealed on the ____ day of _____, _____

Notary

Seal

Official Use Only

Special employment provisions (check if applicable):

- Employment with mentally disabled (Purpose code 'M')
- Employment with elder care (Purpose code 'N')
- Employment with children (Purpose code 'W')

GCIC Operator Signature

Date

Record Attached

- FBI Number Checked
- State ID Number Checked

No Record



Affidavit Verifying Status for City Public Benefit Application

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

- | | |
|--|---|
| <input type="checkbox"/> Business License or
Georgia Occupational Tax Certificate | Miscellaneous Licenses (check one below): |
| <input type="checkbox"/> Alcohol Beverage License | <input type="checkbox"/> Auctioneers |
| <input type="checkbox"/> Taxicab License | <input type="checkbox"/> Pawn Brokers |
| <input type="checkbox"/> Insurance Company License | <input type="checkbox"/> Massage Therapists |
| <input type="checkbox"/> Employee Benefits (Retirement, Health, Disability) | <input type="checkbox"/> Billiard Rooms Operations |
| <input type="checkbox"/> Contracts (Please specify type) _____ | <input type="checkbox"/> Precious Metals and Gems Dealers |
| <input type="checkbox"/> Other public benefit (indicate, if not listed above) _____ | <input type="checkbox"/> Flea Markets |

Name of Business _____

Check only one:

- 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 this ____ day of _____, 20__ in _____ (city), _____ (state).

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

Signature of Applicant

Notary Public _____

Printed Name of Applicant

My Commission Expires: _____

*Note: O.C.G.A. § 50-36-1(e)(2) requires that aliens under the federal immigration and Nationality Act, Title 8 U.S.C., as amended, provide their alien registration number. Because legal permanent residents are included in the federal definition of "alien," legal permanent residents must also provide their alien registration number. Qualified aliens that do not have an alien registration number may supply another identifying number below:

NON-CRIMINAL JUSTICE APPLICANT'S PRIVACY RIGHTS

As an applicant that is the subject of a Georgia only or a Georgia and Federal Bureau of Investigation (FBI) national fingerprint/biometric-based criminal history record check for a non-criminal justice purpose (such as an application for a job or license, immigration or naturalization, security clearance, or adoption), you have certain rights which are discussed below.

- You must be provided written notification that your fingerprints/biometrics will be used to check the criminal history records maintained by the Georgia Crime Information Center (GCIC) and the FBI, when a federal record check is so authorized.
- If your fingerprints/biometrics are used to conduct a FBI national criminal history check, you are provided a copy of the Privacy Act Statement that would normally appear on the FBI fingerprint card.
- If you have a criminal history record, the agency making a determination of your suitability for the job, license, or other benefit must provide you the opportunity to complete or challenge the accuracy of the information in the record.
- The agency must advise you of the procedures for changing, correcting, or updating your criminal history record as set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.
- If you have a Georgia or FBI criminal history record, you should be afforded a reasonable amount of time to correct or complete the record (or decline to do so) before the agency denies you the job, license or other benefit based on information in the criminal history record.
- In the event an adverse employment or licensing decision is made, you must be informed of all information pertinent to that decision to include the contents of the record and the effect the record had upon the decision. Failure to provide all such information to the person subject to the adverse decision shall be a misdemeanor [O.C.G.A. § 35-3-34(b) and §35-3-35(b)].

You have the right to expect the agency receiving the results of the criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of state and/or federal statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

If the employment/licensing agency policy permits, the agency may provide you with a copy of your Georgia or FBI criminal history record for review and possible challenge. If agency policy does not permit it to provide you a copy of the record, information regarding how to obtain a copy of your Georgia, FBI or other state criminal history may be obtained at the GBI website

<http://nl.georgia.gov/obtanung-criminal-history-record-information>

If you decide to challenge the accuracy or completeness of your Georgia or FBI criminal history record, you should send your challenge to the agency that contributed the questioned information. Alternatively, you may send your challenge directly to GCIC provided the disputed arrest occurred in Georgia. Instructions to dispute the accuracy of your criminal history can be obtained at the GBI website <http://gbi.georgia.gov/obtaining-criminal-history-record-information>

PRIVACY ACT STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

APPLICANT SIGNATURE

DATE

NOTARY SIGNATURE

DATE

SEAL

Sec. 6-26. - Manager's permit.

- (a) Every person licensed under this chapter for the retail sale of spirituous liquor, malt beverages or wine for consumption on the premises shall employ one or more persons as manager for the licensed establishment. At least one manager shall be at the licensee's premises during all times that alcoholic beverages are being consumed on such licensed establishment, and such manager shall be in charge of the premises and responsible for the actions of the employees and customers of the licensed establishment. In lieu of being present on the premises, the manager shall be authorized to certify that the manager shall have the ability to be, and will be, present on the premises within 45 minutes of being notified of the need for his presence on the premises. Each such manager shall obtain a manager's permit as provided in this section, and such permit shall be valid for a period of 12 months from the date of issuance of such permit.
- (b) Every person wishing to obtain a manager's permit under this section shall make application on forms provided by the city clerk's office within three days of the date of employment. Upon receiving the completed application, the police department shall arrange to have a complete and exhaustive search made relative to any police record of the person fingerprinted and photographed and such records shall be placed on file in the city clerk's office. The city clerk shall be authorized to issue a manager's permit as provided in subsection (e) of this section after verifying the facts in the application and criminal record, if applicable.
 - (1) In the event there is a criminal record discovered that would exclude the issuance of a manager's permit, the city clerk shall issue a letter to the applicant and the employer, stating that the person is ineligible for a permit and/or employment.
 - (2) Any employee excluded from receiving or holding a manager's permit under the terms of this section shall have the right to appeal such exclusion to the governing body, which may in its discretion approve the issuance of a manager's permit.
 - (3) The failure of an employee to obtain a manager's permit will not prohibit the employee from applying for and receiving one if all other conditions of this section are otherwise met.
- (c) Licensees and managers under this section shall keep a copy of the manager's permit on file, at all times, in the licensed establishment, and shall make such permits available for inspection during operating hours.
- (d) Any person who has been convicted of a violation of any law or ordinance governing the sale of alcoholic beverages or sale or possession of illegal drugs in the past 12 months shall be ineligible to receive a manager's permit under this section.
- (e) If any manager of a licensee under this chapter shall cease to be an employee of the licensee, or shall cease to be a resident of the United States, or in any manner ceases to meet the requirements of this section, the licensee shall notify the city manager, or designee, and shall

name a new manager within three days thereafter. Such new manager shall meet all of the requirements of this section.

- (f) The fee for a manager's permit, including a change of the licensee's manager, shall be fixed by the mayor and board of aldermen as set forth in the schedule of fees and charges on file with the office of the city clerk, provided, further, that if the licensee fails to notify the city of an employed manager and/or name a new manager within the three-day period set forth in this subsection, then the city shall charge a fee, as fixed by the mayor and board of aldermen, and as set forth in the schedule of fees and charges on file with the office of the city clerk, for a newly employed manager and/or change of the licensee's manager, and/or revoke the licensee's license.

(Ord. No. 2000-3, 3-2-2000; Ord. No. 2005-22, 5-5-2005; Ord. No. 2008-26, § 1, 11-6-08; Ord. No. 2022-16, § 1, 6-16-2022)