

**FREQUENTLY ASKED QUESTIONS  
LUMPKIN COUNTY ALCOHOLIC BEVERAGE LICENSES & LICENSING**

*This material is designed for general informational purposes only. For detailed and accurate information concerning these matters refer to the alcoholic beverage ordinance.*

**1. Do I have to be a citizen of the United States to obtain a license?**

The licensee must be a citizen of the United States or an alien lawfully admitted for permanent residence.

**2. I own the business but I am not a Lumpkin County resident. Can I be the licensee?**

Applicants/owners may reside outside of the County, but they must have a registered agent who resides within the County. All licensed establishments must maintain a registered agent who is a Lumpkin County resident. If the owner/licensee is a Lumpkin County resident, they may serve as their own registered agent. The individual must be a County resident for one (1) year prior to becoming a registered agent. Proof of residency is established via taking the provided form to the Probate Court to be signed.

**3. What is the difference between a licensee and the registered agent?**

*Licensee* means the individual to whom a license is issued or, in the case of a partnership or corporation, all partners, officers, and directors of the partnership or corporation. All licensed establishments must have and continuously maintain in the county a registered agent upon whom any process, notice or demand required or permitted by law or under this chapter to be served upon the licensee or owner may be served. This person must be a resident of the county. The licensee shall file the name of such agent, along with the written consent of such agent, with the board of commissioners and shall be in such form as they may prescribe.

**4. We are a corporation, not a sole proprietorship or partnership. Can we obtain a license in the corporation's name?**

A license for a corporation is issued depending on the percentage of ownership. Please refer to Sec. 9 of the current ordinance.

**5. Once I obtain a license, if I want to relocate my business do I have to get a new license?**

Licenses are specific to a location. If you relocate your business you must obtain a new license for that location. Additionally, if a new licensee assumes ownership over a business, a new license must be obtained.

**6. What if I want to add a category to my existing license or make other changes?**

Any change in documentation at any time other than annual renewal, including changes in local documents necessary for the licensee to meet state licensing requirements, shall require payment of an administrative fee in the amount of \$150, as listed in the county fee schedule.

**7. My business is close to a school. Can I still obtain an alcoholic beverage license?**

No person may sell or offer to sell any alcoholic beverage in or within 100 yards of a church building or within 100 yards of any school building or building housing an alcohol treatment center. Please refer to Sec. 5 Distance Requirements (in the ordinance).

**8. I already have an alcoholic beverage license but they are building a church nearby. Will I be able to renew my license?**

If the distance requirements are met at the time of issuance of any license, the subsequent opening and operating of a church or school within the prohibited distance will not prevent the renewal of a license at your location, or the issuance of a new license to any subsequent owner at your location.

**9. I am purchasing two businesses at two locations in the county. Do I have to obtain a separate license for each?**

Separate applications must be made for each location and separate licenses must be issued.

**10. Part of this year is gone already. Do I have to pay the full license fee?**

The full license fee must be paid for any license application filed prior to July 1 of the license year. One-half of a full license fee must be paid for a license application filed after July 1 of the license year.

**11. How much does a license cost?**

There are numerous categories of licenses available. Please see our fee schedule. In addition a \$350.00 investigative/administrative fee will be charged to a new license which includes the cost of fingerprinting.

**12. Do I have to be fingerprinted again?**

If you are applying for a new license, you must be fingerprinted even if you have recently been fingerprinted for another purpose. Additionally, all renewal applications now require fingerprinting and a background check at the time of renewal. The County Clerk will provide the background check form to the licensee.

**13. I submitted an application but I have decided that I do not wish to have a license. Will my money be refunded?**

If the retraction request is made before the license is issued, any sums deposited as license fees will be refunded. No refunds will be made after issuance of the license. No refunds of the investigative fee will be made in either instance.

**14. Once I obtain my county alcoholic beverage license do I need to do anything else before I begin sale of alcoholic beverages?**

You are required to apply for and obtain an alcoholic beverage license from the state before any sales commence. Additionally, county licensees are required to abide by all applicable state regulations and laws. Contact the Lumpkin County Planning Department and Lumpkin County Board of Health for further information.

**15. I do not have an alcoholic beverage license for my facility. If a customer wants to have a wedding reception can they bring their own bottles of alcohol?**

The Lumpkin County Alcoholic Beverage Ordinance does not address "Bring Your Own Bottle". Contact the State of Georgia regarding this matter or consult an attorney knowledgeable about Georgia Alcoholic Beverage laws.

**16. I currently have an alcoholic beverage license and I know I want to renew for next year. When and how is this done?**

All current licensees must have their complete, approved renewal packets with payment in the Board of Commissioners Office by the last county business day **prior** to November 15. The renewal application packet is available on the web site.

**17. My organization or business is planning a special event where we would like to sell alcoholic beverages. Is it possible to obtain a temporary license for the event?**

A Special Event Beverage Application Packet must be obtained to apply for a temporary license for a special event. There are three types of Special Event Alcoholic Beverage Permits: For-profit Business (to operate a cash bar offsite), Non-profit Organization, and Catered Event. A minimum of two months lead time prior to the event is necessary. A For-profit special event permit costs \$75.00 per event and can be obtained by an applicant a maximum of 24 days per year. A Non-profit special event permit costs \$50.00 and may be granted to an applicant a maximum of 12 days per year. A special event permit for a catered event costs \$50.00.

The State of Georgia requires 10 business days to process their permit which can only be requested after the county permit is issued. Additionally, event permits must be obtained at least 10 days before said event. The county application is available on the web site or may be obtained by contacting Melissa Witcher at 706-482-2566 or Helen Wells at 706-482-2565.

**Which license do I get first, the local or the State?**

*In order to operate a business dealing in alcohol, you must have a local alcohol license, a State alcohol license and a Federal Basic Permit. Georgia is a local option license state, which means the local licenses must be issued before the State may issue a license or permit. Official Code of Georgia Annotated§3-3-2.*