City Clerk's Office

ALCOHOL CONTROL COMMISSION
Monday, August 15 , 2016
5:00 P.M.

1. **Roll Call**

2. **Minutes – July 18, 2016**

3. **Old Business: None**

4. **New Business:**
   - **A) Issue a New Beer, Wine, and Liquor Package License at KCD Package, 1400 Dean Street, to Kevin C. Evans.**
   - **B) Issue a New Beer, Wine, and Liquor Pouring License at KCD Restaurant, 1400 Dean Street, to Kevin C. Evans.**
   - **C) Issue a new Beer and Wine Pouring License at Rome Downtown Tennis Center, 329 W. 3rd Street and the Rome Tennis Center at Berry College, 100 Match Point Way, to Thomas J. Daglis.**

5. **Other: * A) Proposed Ordinance Amendment – Section 3-180 (b)(9) Prohibited Persons.**

6. **Police Report:**

7. **Adjourn.**

Joseph F. Smith
Secretary

families. This prohibition shall not apply to malt beverage pouring license at Stonebridge Golf Course.

(10) A person who already holds a class W license or a license in the classification applied for.

(Code 1959, § 4-34; Ord. No. 78-5, § 2, 10-17-77; Ord. No. 87-9-1, § 1, 9-8-87; Code 1981, § 9-2036; Ord. No. 92-9-3, § I, 9-21-92; Ord. No. 98-2-3, § I, 2-16-98; Ord. No. 00-85, § I, 8-21-00; Ord. No. 01-1-1, § 1, 1-2-01; Ord. No. 01-2-1, § I, 2-5-01)

Sec. 3-181. Removing residence from county or otherwise becoming a prohibited person.

Any licensee under this division who removes his residence from the county, or otherwise becomes a "prohibited person" as defined in section 3-180(b), shall, within ten days of the event, make the fact known to the alcohol control commission and shall surrender his license upon demand by the alcohol control commission in such case.
(Code 1959, § 4-34.1; Code 1981, § 9-2037)

Sec. 3-182. Renewal; denial of renewal.

(a) All licenses under this division shall be issued on a calendar year basis and shall be renewable as a matter of course upon payment of the appropriate fee, unless adverse information shall have come to the knowledge of the alcohol control commission or unless the chief of police makes a report as is set out in subsection (d).

(b) Each licensee shall make written application for renewal of his license on or before November 15 of each year on forms provided by the secretary, and the license fee shall be paid in full on or before December 31 of each year.

(c) The application shall be referred to the chief of police, who shall report on the licensee's activity, if any, and upon activity at the location of the licensed business, if any, during the year.

(d) If the chief of police reports any activity which constitutes probable cause for not renewing a license, the renewal shall not be made, and the matter shall be referred to the alcohol control commission for its consideration.

(e) The alcohol control commission shall afford the licensee a public hearing and make findings of fact, which shall be referred to the city commission. In passing upon the application for renewal, the city commission shall be guided by the following factors applicable to an initial application: subsections (5), (6), (8), (9), (10) and (12) of section 3-77 and section 3-181. The city commission may grant, or deny for cause, the renewal of any license issued under this division.
(Code 1959, § 4-35; Code 1981, § 9-2038)

Sec. 3-183. Suspension, revocation, and monetary sanction—Generally.

(a) *Summary action.* There shall be no summary seizure of licenses under this division, unless there exists in the city a state of emergency duly declared; after any such seizure, a hearing shall be held as soon as practicable.

(b) *Action by city commission.* The alcohol control commission may recommend to the city commission to suspend, refuse to renew, place on probation, or revoke a license to sell liquor, and to impose a monetary sanction not to exceed $2,000.00, under the conditions set forth in this section. Then the city commission shall have full power and authority to suspend, refuse to renew, place on probation, or revoke a license to sell liquor, and to impose a monetary sanction not to exceed $2,000.00 under the conditions set forth in this section. Before taking any such action except suspending a license for failure to pay an imposed monetary sanction when due, the city commission shall require a hearing, either before it or the alcohol control commission, at least five days' notice of which hearing shall have been given to the affected licensee. Sufficient grounds for the suspension, refusal to renew, probation, revocation of a license, or imposition of a monetary sanction include, but are not limited to, the following:

(1) A licensee has failed to open a business within six months after approval of the license.

(2) A licensee has ceased to operate the business for a period of three consecutive months.