



## **HOW TO OBTAIN A LIQUOR LICENSE FOR THE UNINCORPORATED AREAS OF MARSHALL COUNTY**

1. Apply first with the State ABC Board. Applicants may visit or call the Huntsville office located at 7500 Memorial Parkway SW, Suite 107-A Huntsville, phone 256-650-3716. Applicants may set an in-person appointment with the Local ABC Agent.
2. Apply at the Marshall County Courthouse, 424 Blount Avenue, Guntersville, AL. Forms are available online at the Marshall County Commission web site, [Marshallal.gov](http://Marshallal.gov), and in person at the Marshall County Commission office on the 3<sup>rd</sup> floor.
3. An application form must be completed and a copy of deed or lease submitted to start the County process. An application fee of \$100 or \$150 if a Public Notice is required (NON-REFUNDALBE) must be paid to the Marshall County Commission office.
4. The Background Check is done by the State ABC Board Office, and can take up to 3 months. Additional Background Checks may be conducted by the Marshall County Sheriff's office while the State ABC Board background check is in work, the applicant can complete the remaining steps of the License process and provide the results to the Marshall County Commission office.
5. Applicants are required to provide a health permit if food is served and proof of a building inspection. Distances to any nearby church, school, or child development center must be identified.
6. If the applicant has an Alcoholic Beverage License, other than just beer or wine, applicants are responsible to pay the County a liquor tax (7% on the whole bottle sales and 8% on mixed drink sales) by the 15th of each month. Failure to pay by the 15th will result in a penalty of 15% and the County may suspend the license.
7. If the applicant has an alcoholic beverage license authorizing liquor for On or Off Premises consumption, a Tax Bond is required. The bond will be for \$2,500 and payable to Marshall County Commission if the alcoholic beverage license holder does not remit, in full, to the Marshall County Commission office, all monthly fees and taxes for the sale of liquor as established by the Commission.
8. The Alcohol License Review Committee will review the complete application package to verify all of the County requirements have been met. They will vote on a recommend or non-recommend motion or reject the application for missing documentation or information. Final decisions will be forwarded by the County Administrator to the Commission for a Public Hearing along with reasons for any non-recommend decisions.

9. The County Administrator is required to advertise the Commission Public Hearing one (1) time, a minimum four (4) days before the date of the Public Hearing. The advertisement shall run in one of the three widely distributed newspapers in the County. The notice must be in the newspaper that is closest to the building identified as the applicant's license location. The three newspapers to choose from are:

Advertiser-Gleam                      2218 Tayor St.   Guntersville, AL                      256-582-3232

Arab Tribune                          96 N. Main St.   Arab, AL                                      256-586-3188

The Sand Mountain Reporter 1603 Progress Dr. #8547   Albertville, AL 256-840-3000

The Commissioners meet the second and fourth Wednesday of each month.

10. After all Commission steps are completed, including a positive outcome of the Public Hearing, and an alcohol license is approved, the State ABC Board will be notified by the County Administrator. They will send the State Liquor License to the applicant. The applicant must bring it to the Marshall County Commission office to be issued a County Alcoholic Beverage License.



## ALCOHOLIC BEVERAGE LICENSE FEE SCHEDULE

This is a listing of ABC Board alcoholic beverage licenses that may be authorized by the Commission. Ask the County Administrator concerning your business. \*The County filing fee is per application, not charged for multiple licenses requested (beer and wine, etc.) on a single application.

License Type	License Description	Filing Fee	State Lic.	* Co. Filing Fee	Co. Lic.
11	LOUNGE RETAIL LIQUOR - CLASS II - (PACKAGE)	\$50	\$300	\$150	\$2,500
20	RESTAURANT RETAIL LIQUOR	\$50	\$300	\$150	\$1,500
31	CLUB LIQUOR - CLASS I	\$50	\$300	\$150	\$1,000
32	CLUB LIQUOR - CLASS II	\$50	\$750	\$150	\$2,500
40	RETAIL BEER - (ON OR OFF PREMISES)	\$50	\$150	\$150	\$75
50	RETAIL BEER (OFF PREMISES ONLY)	\$50	\$150	\$150	\$50
60	RETAIL TABLE WINE (ON OR OFF PREMISES)	\$50	\$150	\$150	\$100
70	RETAIL TABLE WINE (OFF PREMISES ONLY)	\$50	\$150	\$150	\$75
80	LIQUOR WHOLESALE	\$50	\$500	\$100	\$250
90	WHOLESALE BEER ONLY	\$50	\$550	\$100	\$275
100	WHOLESALE TABLE WINE ONLY - 16.5% OR LESS	\$50	\$550	\$100	\$375
110	WHOLESALE TABLE WINE & BEER COMBINED	\$50	\$750	\$100	\$500
120	WAREHOUSE LICENSE	\$50	\$200	\$150	\$200
130	ADDITIONAL WAREHOUSE-WINE, BEER OR BOTH	\$50	\$200	\$150	
140	SPECIAL EVENTS RETAIL	\$50	\$150	\$100	\$150
150	SPECIAL RETAIL LICENSE - 30 DAYS OR LESS	\$50	\$100	\$150	\$150
160	SPECIAL RETAIL - MORE THAN 30 DAYS	\$50	\$250	\$150	\$1,500
170	RETAIL COMMON CARRIER	\$50	\$150	\$150	\$1,000
200	MANUFACTURER	\$50	\$500	\$100	\$1,500
210	IMPORTER	\$50	\$500	\$100	\$1,500
220	BREWPUB	\$50	\$1,000	\$100	\$1,500
240	NON PROFIT - TAX EXEMPT	\$50	\$0	\$150	\$0
250	WINE FESTIVAL LICENSE	\$50	\$50	\$150	\$500
260	WINE FESTIVAL PARTICIPANT LICENSE	\$50	\$15	\$100	\$500
300	HOSPITALITY MANAGEMENT PROGRAM LICENSE	\$50	\$1,000	\$150	\$1,000
310	FOOD OR BEVERAGE TRUCK LICENSE	\$50	\$300	\$100	\$1,000
500	DIRECT WINE SHIPPER	\$50	\$200	\$100	\$500
530	DELIVERY SERVICE LICENSE	\$50	\$250	\$100	\$500
800	IN-STATE WINERY OFF-SITE TASTING PERMIT	\$50	\$0	\$150	\$150



## APPLICATION for **RETAIL** ALCOHOLIC BEVERAGE LICENSE

Date of Application: \_\_\_\_\_

Specify the Alcoholic Beverage License(s) being applied for:

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1) Name of Applicant: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_ Driver's License # \_\_\_\_\_

2) Names & Addresses of Partners, Members, Officers, or Directors (Attach a separate sheet if necessary):

Name	Title	DOB	Address
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Name	Title	DOB	Address
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Name	Title	DOB	Address
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Name	Title	DOB	Address
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3) Type of Ownership (Sole, Corp, LLC, etc.): \_\_\_\_\_

Corporation or LLC Name: \_\_\_\_\_

4) DBA/ Trade Name: \_\_\_\_\_

Location: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

5) Owner of Real Estate for which license is desired: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

6) Name of Manager: \_\_\_\_\_

7) Has Owner/Manager ever had an ABC License suspended, revoked or declined? \_\_\_\_\_

If so explain: \_\_\_\_\_

8) Do any of the Applicants own part of another business with a Liquor License? \_\_\_\_\_

If so, Name of Business: \_\_\_\_\_

9) Are the Applicants named above the only persons in any manner with interest in the business sought to be licensed?

\_\_\_\_\_ If not Explain: \_\_\_\_\_

10) Has Applicant made application before for an ABC License? \_\_\_\_\_

If so, state disposition of application: \_\_\_\_\_

11) Has Applicant had an ABC License suspended, revoked or declined? \_\_\_\_\_

12) List below, the court records for Laws Violations, if any, of each Applicant. Do not include Traffic Violations except DUI and Reckless Driving. If no records exist, state "NONE".

Name	Violation	Court	Date	Disposition

The undersigned agrees, if issued a License as hereinbefore requested, (1) To comply with all the provisions of the Laws of Alabama and particularly Title 28, Code of Alabama, as now and hereafter amended, and to obey all Rules and Regulations promulgated by the Alabama Alcoholic Beverage Control Board (the "Board"), relative to the handling of Alcoholic Beverages, and (2) To comply with all the provisions of the Resolution and Requirements of the Marshall County Commission relative to Alcoholic Beverages, as now and hereafter amended, and (3) to allow any duly authorized agent of the County and any duly commissioned Law Enforcement Officer of the State of Alabama or Marshall County to enter and search without a warrant the Licensed Premises or any building owned or occupied by the Licensee in connection with, adjoining or adjacent thereto, whether connected or not, and whether used by the Licensee and his private dwelling or not, at any time. The undersigned understands that a violation of the State or County Laws or Rules, Regulations, and Resolutions of the Marshall County Commission may result in a suspension or revocation of this license.

Applicant for the Alcoholic Beverage License, requested by the foregoing Applicant hereby swears or affirms they have read said application and all the statements therein are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Signed: \_\_\_\_\_

Title \_\_\_\_\_

Phone # \_\_\_\_\_

Email: \_\_\_\_\_



# APPLICATION FOR **WHOLESALE** DELIVERY of ALCOHOLIC BEVERAGE BUSINESS LICENSE

Circle Application Type    **New**    Owner Change    Name Change    Location Change

Legal Business Name:

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Trade Name (If different from above):

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Business Activities (Brief description – Retail clothing sales, wholesale food sales, rental of industrial equipment, computer consulting, restaurant, etc):

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Physical Address

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Street	City	State	Zip
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Mailing Address

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Street	City	State	Zip
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Telephone

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Business	Fax	Home Phone
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Name & Phone # for Contact Person \_\_\_\_\_ (\_\_\_\_\_) \_\_\_\_\_

Email Address for Contact \_\_\_\_\_

List All Owner(s), Partners, or Officers (Attach separate sheet if necessary):

<u>Name</u>	<u>Residence Address</u>	<u>SSN (If not publicly traded co.)</u>	<u>Title</u>
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Existing ABC License Number and Territory \_\_\_\_\_

Date Business Activity Initiated or Proposed in County \_\_\_\_\_ # of Employees in County \_\_\_\_\_

This application has been examined by me and is, to the best of my knowledge, a true and complete representation of the above-named entity, and person(s) listed

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Date

Signature

Title

\*\*\*\*\*

***For County use only • Business License Information:***

Date Application Given: \_\_\_\_\_ By: \_\_\_\_\_

Building Official/Inspector Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Fire Marshall Approval: \_\_\_\_\_ Date: \_\_\_\_\_

**Business ID#:** \_\_\_\_\_

**Date Issued:** \_\_\_\_\_

**License #:** \_\_\_\_\_

**Clerk:** \_\_\_\_\_



## ALCOHOLIC BEVERAGE LICENSE APPLICANT CHECK LIST

1. Type of License Requested ☐
2. \$100 or \$150 Non-refundable Filing Fee paid ☐
3. Application Completed ☐
4. Building and Property Location ☐
5. Distances to Church, School, Child Development Facility more than 200 feet? ☐
6. Is there a Patio to be used for alcohol consumption and #5 distances? ☐
7. Copy of Lease or Deed ☐
8. AL Law Enforcement Agency (ALEA) Release Forms(s) ☐
9. Check or Money Order (\$25.00 each person) to ALEA for Release Information ☐
10. County Background Check Release Form(s) ☐
11. Acknowledgement of filing fee signed ☐

### **Before Public Hearing:**

Publication Affidavit (Must be advertised in a newspaper local to the business location).

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### **Before Issuing County Beverage License:**

1. Name of Bonding Company (if required) and a Copy of the Bond ☐
2. State License (Copy) ☐
3. Certificate from Health Department (copy) ☐
4. Building Inspection ☐



## MARSHALL COUNTY ALCOHOLIC BEVERAGE LICENSE FILING FEE ACKNOWLEDGEMENT

Date: \_\_\_\_\_

I certify that I have read the requirements of the current Marshall County Resolution for the Sale of Alcoholic Beverages in the Unincorporated Parts of Marshall County and the Application Package as approved by the Marshall County Commission. It has been explained to me including the requirement for the non-refundable \$100 or \$150 application / filing fee.

If my application is denied, I will NOT receive a refund of said filing fee.

\_\_\_\_\_  
Signed by Proposed Licensee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trade Name

\_\_\_\_\_  
Signed by County Administrator

\_\_\_\_\_  
Date



## **EXAMPLE**

### **Advertisement for the Newspaper**

Notice is hereby given that

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Doing business as

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Located at

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Has made an application to the Marshall County Commission to approve the issuance of a \_\_\_\_\_ License by the Alabama

Alcoholic Beverage Control Board and that the \_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_ at \_\_\_\_\_ a.m. /p.m. has been set for the hearing thereof at the Marshall County

Commission chambers. Any interested persons may appear at said time and place and be

heard for or against the granting of such approval”

# EXAMPLE SURETY TAX BOND

Pg 1 of 3

STATE OF ALABAMA

MARSHALL COUNTY

BOND NO. \_\_\_\_\_

## Tax Bond for Selling Alcoholic, Spirituous, Vinous, or Fermented Liquor at Retail

KNOWN ALL MEN BY THESE PRESENT:

That We, \_\_\_\_\_, of,  
County of Marshall, State of Alabama, as Principal (Hereinafter called "PRINCIPAL") and  
\_\_\_\_\_ of \_\_\_\_\_, as

Surety, (Hereinafter called "SURETY"), are held and firmly bound unto the MARSHALL COUNTY COMMISSION, MARSHALL COUNTY, ALABAMA, in the sum of TWO THOUSAND FIVE HUNDRED & NO/100 DOLLARS (\$2,500.00), for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The condition of the foregoing obligation is such that:

WHEREAS, The Principal has applied to the Marshall County Commission of Marshall County, Alabama for a license as a retailer of alcoholic, spirituous, vinous or fermented liquor in the unincorporated areas of Marshall County, Alabama, under the provisions of Resolution of the Marshall County Commission Regulating the Sale of Alcoholic Beverages Within the Unincorporated Areas of Marshall County Alabama (the Resolution), approved October 23<sup>h</sup>, 2024 and subsequent updates and changes and has applied to the Alcoholic Beverage Control Board of the State of Alabama for the approval of Principal as a retailer of alcoholic, spirituous, vinous or fermented liquor under the laws of the State of Alabama; and

WHEREAS, The Alcoholic Beverage Control Board and the Marshall County Commission, Marshall County, Alabama, has authorized the issuance to Principal of such license as a retailer of alcoholic, spirituous, vinous, or fermented liquor in the unincorporated areas of Marshall County, Alabama has approved the Principal as such retailer of such alcoholic, spirituous, vinous or fermented liquors, subject to the execution of this bond.

NOW, THEREFORE, in consideration of the premises:

- (a) If the Principal shall promptly file with the Marshall County Administrator, Guntersville, Alabama, true reports, as required by law, showing the total purchases, receipts or procurements by the Principal of alcoholic, spirituous, vinous or fermented liquor, and shall promptly pay to the Commission of Marshall County, Alabama, any and all license and excise taxes on the total purchases, receipts or procurements

Feb 14, 2025-

of alcoholic, spirituous, vinous or fermented liquor, which may now or hereafter be levied or imposed, and which may now be due or which may thereafter become due by the Principal to the Marshall County Commission, together with all penalties and interest thereon, and shall faithfully comply with the provision of said the said Resolution of the Marshall County Commission, Marshall County, Alabama; and

- (b) If the Principal shall promptly, on or before the 15<sup>th</sup> day of each calendar month, file with the Marshall County Commission at Guntersville, Alabama, true and correct reports, or statements, showing the total purchase, receipts or procurements of alcoholic, spirituous, vinous or fermented liquor made by the Principal during the next preceding calendar month, and shall furnish to the said Marshall County Administrator such other information as he/she may deem or require upon blanks or forms approved and furnished for such purpose, as required by law, and shall promptly pay to the Marshall County Commission, Marshall County, Alabama, the amount of all license and excise tax now due by the Principal to the Marshall County Commission, Marshall County, Alabama, or which may hereafter become due by the Principal to the Marshall County Commission, Marshall County, Alabama, under the provisions of said Ordinance No. 561, together with all penalties and interest thereon, shall faithfully comply with other applicable provisions of said Resolution of the Marshall County Commission, Marshall County, Alabama, which may be adopted while this bond is in force and effect, then this obligation shall be null and void; otherwise, the same shall remain in full force and effect.

The terms “restaurant”, “club”, “corporation”, “alcoholic beverage”, “wine”, “package”, “building”, “sale”, or “sell” and all other terms defined in the Resolution and Alcoholic Beverage License package of the Marshall County Commission, Marshall County, Alabama shall be considered and construed in accordance with the definitions of such terms of said Resolution.

It is expressly understood and agreed that neither this obligation nor any liability thereunder shall be released or the validity thereof affected by reason of the adoption of any Resolution in lieu of or amendatory to said Resolution, or any provision of provisions thereof; but this obligation shall continue in full force and effect with respect to said statutes or any amendments hereto or change therein, which may be adopted before the cancellation of this obligation as herein provided, or before the actual cancellation and surrender of this obligation by the Marshall County Commission, Marshall County, Alabama, pursuant to any law now existing or hereafter adopted relating thereto.

- (c.) The surety on this bond may be released and discharged from any and all liability to the Marshall County Commission, Marshall County, Alabama, accruing on this bond after the expiration of sixty (60)

days from the date upon which said surety shall have filed with the Marshall County Commission, Marshall County, Alabama, written request to the released and discharged; provided, however, such request shall not operate to relive, release or discharge such surety from any liability already accrued or which shall accrue before the expiration of said sixty (60) day period.

IN WITNESS WHEREOF, WE have hereunto set our hands and seals on this The \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

Attested By

\_\_\_\_\_  
County Administrator, Marshall County, Alabama



## Authority to Release Information

I, \_\_\_\_\_, do hereby authorize any representative of the Marshall County Sheriff Office to collect information in reference to, but not limited to, my personal background, driving record, and arrest record and the same information of any other persons I have listed as owners, stake holders, or other material connection to the business as I have listed on the application.

I further authorize the release of any and all information pertaining to me by any person to whom the authorization may be presented, in consideration of the fact that all such obtained information shall be pertinent information which would assist the Marshall County Commission, in evaluating my character and qualifications for receipt of a Marshall County Alcoholic Beverage License.

I hereby release from any liability anyone who collects such information or anyone that furnishes such information on my behalf. I further agree that a photostatic copy of this authorization shall have the same effect as the original

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Race: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Sex: \_\_\_\_\_

Current Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Marital Status: \_\_\_\_\_

Spouse's Name: \_\_\_\_\_



## BE RESOLVED BY THE MARSHALL COUNTY COMMISSION OF ALABAMA

The Marshall County Commission has reviewed the application of

\_\_\_\_\_ for the sale of

\_\_\_\_\_ and the Commission finds and determines that an Alcoholic Beverage License is hereby

\_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_.

SIGNATURE

CIRCLE EACH MEMBER'S DECISION

\_\_\_\_\_ APPROVED DISAPPROVED ABSTAINED  
Chairman

\_\_\_\_\_ APPROVED DISAPPROVED ABSTAINED  
District 1

\_\_\_\_\_ APPROVED DISAPPROVED ABSTAINED  
District 2

\_\_\_\_\_ APPROVED DISAPPROVED ABSTAINED  
District 3

\_\_\_\_\_ APPROVED DISAPPROVED ABSTAINED  
District 4



## **Alcoholic Beverage License Application Record of Decision**

The undersigned certifies that the Marshall County Commission has reviewed this application and has:

Business Name: \_\_\_\_\_

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
County Administrator