



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File #: 2020-1608
File Status: Action

12/15/2020

Public Hearing: YES NO

Department: Board of Commissioners - District 2

SUBJECT:

Commission District(s): All

Modifying the Pouring License Fee Schedule

Information Contact: Commissioner Jeff Rader/Andrew Baker

Phone Number: 404-371-2863/404 687-7154

PURPOSE:

To allow current holders of alcohol pouring licenses to delay paying their associated alcohol licensing fees due for 2021 to no later than July 31, 2021. Business owners must renew their general business license consistent with common practice.

NEED/IMPACT:

The current pandemic has placed many small businesses in a precarious financial circumstance. Delaying the payment due date will provide some flexibility to DeKalb County businesses.

FISCAL IMPACT:

Since, a percentage of the alcohol fees are transferred to the DeKalb County Board of Education, an arrangement will be necessary on payment.

RECOMMENDATION:

To approve the resolution and authorize the chief executive officer to execute all necessary documents.

RESOLUTION APPROVING THE DEFERRAL OF ALCOHOL LICENSE FEES AND A WAIVER OF CERTAIN PENALTIES AND INTEREST CONCERNING THE PAYMENT OF ALCOHOL LICENSE FEE APPLICATIONS

WHEREAS, on March 13, 2020, President Donald J. Trump declared a National Emergency as a result of the spread of the novel coronavirus disease known as COVID-19; and

WHEREAS, on March 14, 2020, Georgia Governor Brian P. Kemp also declared a Public Health State of Emergency due to the spread of COVID-19; and

WHEREAS, on March 23, 2020, DeKalb County Chief Executive Officer issued Executive Order No. 20-001 Declaring a State of Emergency in DeKalb County also in response to the COVID-19 outbreak; and

WHEREAS, the measures implemented in response to the COVID-19 outbreak and in response to the National Emergency and Georgia Public Health State of Emergency have resulted in major disruptions to all aspects of life, including limitations on the availability of some county government services and operations, limitations on public gatherings, and self-isolation steps that have limited the ability of citizens to interact and conduct business with various county government offices; and

WHEREAS, DeKalb County Code § 4-52 imposes penalties and interest obligations on businesses who fail to timely submit their alcohol license application documents or fail to timely pay alcohol license “pouring” fees;

WHEREAS, DeKalb County Organizational Act § 9(a)(3) specifically vests the Board of Commissioners with authority to fix the rates of all charges and taxes, including penalties and fees for alcohol licenses; and

WHEREAS, the DeKalb County Board of Commissioners finds that the unique circumstances surrounding the COVID-19 National Emergency and Georgia Public Health Emergency constitute due cause for failure to timely pay pouring fees related to alcohol licenses;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of DeKalb County, Georgia, hereby approves a temporary waiver of penalties, late fees, and interest related to 2021 alcohol license pouring fees under DeKalb County Code § 4-52;

BE IT FURTHER RESOLVED, that the temporary waiver of penalties, late fees, and interest set forth in this Resolution applies to 2021 alcohol licenses so long as the applicant has filed its completed applications in a timely manner as outlined in DeKalb County Code § 4-52 and pays its alcohol license fees in full on or before July 31, 2021, unless extended by further Resolution of the DeKalb County governing authority; failure to pay alcohol license fees in full on or before July 31, 2021 will result in immediate revocation of alcohol privileges and applicant will have to reapply;

BE IT FURTHER RESOLVED, that this Resolution shall become effective when passed and adopted, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed.

ADOPTED by the Board of Commissioners of DeKalb County, this _____ day of _____ 2020.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2020.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA NORWOOD-SANDERS, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

December 14, 2020

APPROVED AS TO SUBSTANCE:

ANDREW BAKER

Planning & Sustainability Director

APPROVED AS TO FORM:

VIVIANE H. ERNSTES

County Attorney