

ARCHER & LOVELL, P.C.

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MEMORANDUM

TO: Mayor & City Council
CC: Randy Mannino, Planning & Development Director
Frank McCann, Chief of Police
Dan Porta, City Manager
FROM: E. Keith Lovell (EKL)
DATE: April 6, 2021
RE: Appeals of Alcohol Control Board Orders from
March 10, 2021 and March 24, 2021 ACB Hearings

- El Nopal
- Short Trip/Easy Trip 2
- The Local Bar & Grill
- The Page fka Corona's

The City has received four (4) notices of appeal from the Orders issued as a result of the March 10, 2021 and March 24, 2021 Alcohol Control Board hearings. Each establishment violated City of Cartersville Alcohol Control Ordinances, specifically Section 4-21 selling alcohol to a minor and Section 4-13, responsibility of Licensee for violations. Each of these cases have been placed on the April 15, 2021 City Council Agenda for the Mayor and City Council to hear the appeals. At the bottom of this Memo are the standards for the Mayor and City Council to consider if making any reduction to the penalties imposed by the ACB, and the procedures for appeals.

The record of each appeal is attached for your consideration. Additionally, part of the record includes the video of the incident in question, and although not a part of your package, will be available at the Council Meeting if you want to review. A brief summary of each appeal is listed out below:

1) *El Nopal (first time offender)*. Counsel for licensee/owner, Jana Allen, filed an appeal of the ACB March 10, 2021 Order. This licensee sent his wife/co-owner to the City to pay the fine and return the consent order on the last day due and after discussions with Planning & Development staff realized a reduction of the probation could not be provided by said staff. Licensee failed to appear for the ACB hearing, and the Board entered an order finding the licensee Guilty, imposing a \$1,000.00 fine and 3 years' probation. After the wife of licensee realized the failure to appear before the ACB, Jana Allen was hired and immediately contacted the City attorney's office. Licensee is actually hospitalized at this time. An actual hearing for this establishment was placed on the March 24, 2021 calendar and a motion for reconsideration was presented by counsel, Jana Allen. The Board considered the motion and denied the same. The appeal of the March 10, 2021 order requests a higher fine and reduction of the 3 years' probation period via an alternative method of punishment (community service or similar). As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

2) *Short Trip/Easy Trip2 (first time offender)*. The licensee holder/owner filed an appeal of the decision of the ACB March 10, 2021 Order. This licensee failed to return the Consent Order delivered to it and failed to appear for the ACB hearing. The Board entered an order finding the licensee Guilty, imposing a \$1,000.00 fine and 3 years' probation. This appeal just asks for reconsideration. As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

3) *The Local Bar & Grill (first time offender)*. Counsel for licensee, Taff Wren, filed an appeal of the ACB March 10, 2021 Order. At said hearing, the establishment pled No Contest and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal asks for leniency/reduction of the probation period. As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

4) *The Page fka Corona's (first time offender)*. The co-owner of the establishment filed an appeal of the decision. At said hearing, the co-owner of the establishment pled Guilty and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal is asking for reconsideration of the fine and/or probation. As the establishment had three (3) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

The recommended penalties pursuant to Section 4-209(c) are as follows:

Sec. 4-209. - Action by alcohol control board.

- (c) Subject to the notice, hearing and appeal rights of a licensee as provided in this chapter, if the alcohol control board determines that a violation has occurred and been adjudicated guilty or the licensee has pled guilty or no contest it is authorized to levy the following fines and penalties. The board has the right to impose additional penalties or waive any of the penalties imposed based upon the facts of the incident as presented to them.

For violations within a three-year period involving the same license, owners or location the following recommended guidelines are hereby adopted.

Offense	Fine	Probation	Suspension/Revocation
First	Up to \$1,000.00	3 years	None
Second	Up to \$1,000.00	3 years	30 days suspension
Third	Up to \$1,000.00	3 years	Revocation; no reapplication for one year

Memo to Planning & Development & Public Works
Memo from E. Keith Lovell
Date: April 6, 2021
Re: Appeals of ACB March 10, 2021 Orders
Page 3

The procedures for an appeal are outlined in Section 4-209(e)(4), and are as follows:

- (4) The notice of appeal to the mayor and city council shall be in writing and accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The notice of appeal must be filed in writing at the office of planning and development. The grounds for the appeal shall be limited to issues that were addressed in the hearing. Upon receipt of a notice of appeal, the city manager shall submit the entire record of the case to the mayor and city council and the planning and development director or his/her designee may also submit a memorandum in response to the memorandum filed by the licensee. The planning and development director or his/her designee shall place the appeal on the agenda of the next regular council meeting occurring not less than ten (10) or more than thirty (30) days after receipt of the appeal, unless the parties stipulate to another date. The appellant shall have the right to be represented by legal counsel. At the hearing, the mayor and city council will receive oral arguments on the written memoranda and the evidence in the record. The right to offer oral argument may be waived. No additional evidence or arguments shall be permitted at the council meeting, and the council shall base its decision on the memoranda, oral arguments, if any, and other evidence in the record. Following the appeal hearing, the council may sustain, overrule or modify the order. In lieu of suspension or revocation, the mayor and city council may impose a fine upon any licensee, such fine as set forth in this chapter, for each violation occurring on the licensed premises. The mayor and city council shall also have the option to remand the matter to the alcohol control board for a de novo hearing or for the taking of additional evidence on specific points. The mayor and city council have thirty (30) days from the date of the hearing to render a decision in this matter. If the city council does not refer the matter back to the alcohol control board the decision of the mayor and city council shall be final and the appellant shall have the right to seek a writ of certiorari to the superior court of the county within thirty (30) days of the final action of the mayor and city council. The final action of the city council shall be reduced to a written order signed by the mayor. The original of the mayor's order shall be filed in the record of the case, and a copy of the order shall be included in the minutes of the mayor and city council meeting. It shall be the responsibility of the city clerk to provide a copy of the order to the appellant.

Memo to Planning & Development & Public Works
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CITY OF CARTERSVILLE ORDINANCE – STANDARDS TO CONSIDER IF REDUCING PENALTIES:

Sec. 4-209. - Action by alcohol control board.

- (f) The penalties for establishments and license holders may be mitigated if such establishments are found to have maintained an effective compliance program. Factors to be considered are:
- (1) Whether and to what extent the establishment requires its servers to attend alcohol ordinance compliance seminars.
 - (2) Whether the establishment conducts its own "secret shopper" or internal "sting" operations.
 - (3) Whether the establishment has a written policy dealing with the problems of minors attempting to obtain alcohol at such establishment.
 - (4) Whether the establishment has appropriate signs and other displays such as "We ID" or "If you're a minor, the soft drinks are this way".
 - (5) The degree to which the establishment has procedures in place to monitor its servers for compliance with the ordinance.
 - (6) Whether the establishment makes available a copy of the ordinance to its servers.
 - (7) Extent to which the establishment has met the other requirements of the ordinance.
 - (8) Other evidence demonstrating the establishment's compliance with the ordinance and prevention of underage drinking in the establishment and the community at large.

3) THE LOCAL BAR & GRILL

- **Hearing notice for appeal before Mayor & Council**
 - **Notice of appeal**
 - **March 10, 2021 ACB Order**
 - **Minutes of March 10, 2021 ACB hearing w/Exhibits presented by The Local Bar & Grill**
 - **ACB Package for March 10, 2021 hearing**
-

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March 26, 2021

Taff Wren, Esq.
The Law Office of Taff Wren, P.C.
128 West Cherokee Ave, Ste A
PO Box 872
Cartersville, Georgia 30120

VIA EMAIL: taff@rtwlawpc.com

IN RE: **NOTICE OF HEARING ON APPEAL – APRIL 15, 2021, 7:00 P.M.**
Alcohol License Certificate Number: LL202002536
License Type: Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
License Holder: Dean Gipson
Establishment: The Local Bar & Grill, 120 S. Erwin Street, Cartersville, GA

Taff:

The City of Cartersville received your appeal to the Order issued by the Alcohol Control Board for the alcohol licensee listed above. **You are hereby notified that the Mayor and City Council of the City of Cartersville, Georgia, will hear said appeal at 7:00 pm on April 15, 2021, at the City Council Chambers, Third Floor, City Hall, 10 North Public Square, Cartersville, Georgia 30120.**

Below is a brief synopsis of the case and your appeal:

The Local Bar & Grill (first time offender). Counsel for licensee, Taff Wren, filed an appeal of the ACB March 10, 2021 Order. At said hearing, the establishment pled No Contest and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal asks for leniency/reduction of the probation period. As the establishment had two violations, the recommended penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

And, below is City of Cartersville Ordinance, Sec. 4-209(e)(4), as it relates to appeals and the process.

- (4) The notice of appeal to the mayor and city council shall be in writing and accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The notice of appeal must be filed in writing at the office of planning and development. The grounds for the appeal shall be limited to issues that were addressed in the hearing. Upon receipt of a notice of appeal, the city manager shall submit the entire record of the case to the mayor and city council and the planning and development director or his/her designee may also submit a memorandum in response to

Taff Wren, Esq.
March 26, 2021
Notice of Appeal Hearing – Mayor & City Council
Establishment: The Local Bar & Grill
Page 2

the memorandum filed by the licensee. The planning and development director or his/her designee shall place the appeal on the agenda of the next regular council meeting occurring not less than ten (10) or more than thirty (30) days after receipt of the appeal, unless the parties stipulate to another date. The appellant shall have the right to be represented by legal counsel. At the hearing, the mayor and city council will receive oral arguments on the written memoranda and the evidence in the record. The right to offer oral argument may be waived. No additional evidence or arguments shall be permitted at the council meeting, and the council shall base its decision on the memoranda, oral arguments, if any, and other evidence in the record. Following the appeal hearing, the council may sustain, overrule or modify the order. In lieu of suspension or revocation, the mayor and city council may impose a fine upon any licensee, such fine as set forth in this chapter, for each violation occurring on the licensed premises. The mayor and city council shall also have the option to remand the matter to the alcohol control board for a de novo hearing or for the taking of additional evidence on specific points. The mayor and city council have thirty (30) days from the date of the hearing to render a decision in this matter. If the city council does not refer the matter back to the alcohol control board the decision of the mayor and city council shall be final and the appellant shall have the right to seek a writ of certiorari to the superior court of the county within thirty (30) days of the final action of the mayor and city council. The final action of the city council shall be reduced to a written order signed by the mayor. The original of the mayor's order shall be filed in the record of the case, and a copy of the order shall be included in the minutes of the mayor and city council meeting. It shall be the responsibility of the city clerk to provide a copy of the order to the appellant.

Very truly yours,

ARCHER & LOVELL, P.C.

E. Keith Lovell

E. Keith Lovell
Assistant Attorney for the City of Cartersville

EKL/slf

cc: City Manager, City of Cartersville
Planning and Development Director, City of Cartersville
Chief of Police, City of Cartersville
City Clerk, City of Cartersville

TAFF WREN, P.C., LAWYER

128 W. Cherokee Avenue • Cartersville, GA 30120 • Phone: (770) 877-1834
E-Mail: taff@rtwlawpc.com • Web: www.taffwren.com



Date: March 24, 2021

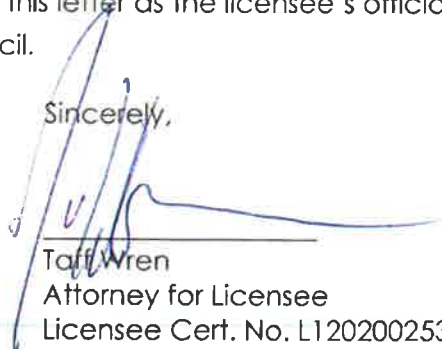
City of Cartersville
Attn: Dan Porta
PO Box 1390
Cartersville, Georgia 30120

Dear Dan Porta:

Pursuant to City of Cartersville Code Section 4-14(e)(1)(2) and (3) the licensee for the Local Bar & Grill would like to appeal the decision of the alcohol control board on March 10, 2021. Licensee has implemented steps to prevent his servers and bartenders from having this issue occur in the future. All servers and bartenders have been provided copies of the ordinances that pertain to the sale of alcohol to minors and have said notices to this affect. A copy of the alcohol ordinances are now placed behind the bar for their review as well. Furthermore, this incident was a simple mistake made by a bartender who was rushing and though this does not excuse her actions, it was a simple mistake. As a result of her mistake the Licensee has terminated her employment and impressed upon how serious this is to the remaining servers and bartenders.

The Licensee understands that his server did violate the ordinance, but requests leniency seeing that he has been in business for approximately 8 years and never had an issue. The Licensee is willing to pay the fine amount, but would ask that the probation be stricken or at the least only be on probation for a year. Please accept this letter as the licensee's official notice to appeal said decision to the Mayor and City Council.

Sincerely,



Taff Wren
Attorney for Licensee
Licensee Cert. No. L1202002536

BEFORE THE ALCOHOL CONTROL BOARD
CITY OF CARTERSVILLE

CITY OF CARTERSVILLE, GEORGIA) CARTERSVILLE ALCOHOL
Licensor,) CONTROL BOARD
) VIOLATION HEARING NO: 21-020
v.) HEARING DATE: 3/10/2021
)
DEAN GIPSON,)
Licensee.)
)
Establishment: The Local Bar & Grill)
)
Address: 120 S. Erwin Street)
Cartersville, GA)
)
Pouring: Beer, Wine, Distilled Spirits,)
Sunday Sales)
)
Alcohol License Certificate Number:)
LL202002536)

ORDER

On March 10, 2021, the Cartersville Alcohol Board held a hearing on alleged violations of the City of Cartersville Code of Ordinances, specifically Section 4-13 and Section 4-21 as stated in the Notice Letter of February 22, 2021.

Taff Wren, counsel for the Licensee appeared, and pled NO CONTEST on behalf of the Licensee, to the charges of selling alcohol to a minor on January 26, 2021.

After consideration, and on motion, the Board unanimously accepted the Licensee's plea of NO CONTEST and imposed the following penalty:

1. A fine in the amount of: \$1,000.00; and
2. Three (3) years' probation from March 10, 2021 through and including March 11, 2024.

Payment of the fine is to be made at the City of Cartersville Community Development Department Office located at 10 North Public Square 2nd Floor, P.O. Box 1390 Cartersville Georgia 30120, and is due by Wednesday, March 24, 2021, at 3:00 p.m.

Additionally, pursuant to the City of Cartersville Code Section 4-14(e)(1)(2) and (3), the Licensee has the right to appeal this Order to the Mayor and City Council. If no appeal is filed by March 24, 2021, at 3:00 p.m., this Order becomes final. If an appeal is filed, the probation and fine are stayed until said appeal is heard.

Appeals shall be filed at the City Manager's office by mail to: City of Cartersville, Attn: Dan Porta, P.O. Box 1390, Cartersville, GA 30120.

BE IT AND IT IS ORDERED, as of this 10th day of March, 2021.

RIC NAPPS

Ric Napps, Chairman for the
Cartersville Alcohol Control Board

CERTIFICATE OF SERVICE

This is to certify I have this day caused to be served the above Licensee via certified mail, return receipt requested, to the address provided by the Licensee at the Hearing, this 12th day of March, 2021.

14 E. Keith Lovell

E. Keith Lovell, Assistant City Attorney
City of Cartersville

P. O. Box 1024
Cartersville, Georgia 30120
(770) 386-1116

MINUTES OF THE ALCOHOL CONTROL BOARD

The Alcohol Control Board met in a regular meeting on Wednesday, March 10, 2021 at 10:00 A.M. in the Council Chambers, 3rd Floor, City Hall.

CALL TO ORDER at 10:01 AM

ROLL CALL

Present: Rick Napps, Christine Brown, Jennifer Smith, Cortney Hultman, David Holt, Richard Kollhoff

Absent: Dan Heilman

Staff Present: Randy Mannino, Julia Drake, and Keith Lovell

APPROVAL OF MINUTES

1. Approval of minutes of the February 10, 2021 meeting minutes.

Motion to approve the February 10, 2021 meeting minutes was made by Board Member Hultman and seconded by Board Member Smith. Motion carried unanimously. Vote: 5-0.

TEXT AMENDMENTS

2. Amendment to Festival Zone Ordinance

Chairman Napps called for the next item.

Keith Lovell, Assistant City Attorney, gave an overview of the amendment stating this amendment is to clarify the use of Downtown Entertainment Zone cups in the Festival Zone.

Motion to approve the amendment to the Festival Zone Ordinance was made by Board Member Hultman and seconded by Board Member Holt. Motion carried unanimously. Vote: 5-0

NEW APPLICATION

3. Review of Beer/Wine Package Alcohol License by Tanveer Javed for Great Eastern Company located at 2472 US-411. New Owner/Application.

Chairman Napps called for the next item.

Applicant was not present for the hearing and review of the new Alcohol Application.

Motion to table the application was made by Board Member Kollhoff and seconded by Board Member Smith. Motion carried unanimously: 5-0.

4. Review of Pouring (Beer/Wine/Distilled Spirits/Sunday Sales) License Application for Johnny Archer's Place located at 138 Tennessee Street.

Chairman Napps called for the next item.

Mr. Johnny Archer came forward to represent the application and answer questions from the Board. Board Member Hultman stated that the application was incomplete due to the Affidavit not being completed and no lease agreement being included.

Motion to table the application until application can be completed was made by Board Member Hultman and seconded by Board Member Holt. Motion carried unanimously: 5-0.

VIOLATIONS

Mr. Lovell stated the City of Cartersville Police Department conducted a sting operation; this operation is still ongoing, 21 out of 53 establishments served to an undercover minor. This includes 14 package and 7 pouring establishments. First time offenders were sent a notice that included a prepared consent order pleading no contest, resulting in \$1,000 fine, 3-year probation, and waiving their right to an appeal. Each first-time offender was given the opportunity to submit their signed consent order and fee to the City Clerk's Office no later than Friday, March, 5th at 4:30 P.M. The following establishments submitted their signed consent order and paid their fines.

Jefferson's located at 28 W. Main Street. Ate Track Bar & Grill located at 25 N. Wall Street. Amerimart located at 1153 A Burnt Hickory Rd. Texaco located at 2472 Hwy 411. Circle K located at 501 N. Tennessee Street. El Dorado located at 910 Joe Frank Harris Parkway. Tarasco's Tacos and Wings located at 1350 Joe Frank Harris Parkway Suite 115. Sunoco located at 2471 Hwy 411. Sunaco Stop 'n Shop located at 700 Joe Frank Harris Parkway. Travel Center Shell located at 1340 E. Main Street. Cartersville Beverage located at 831 West Avenue.

Mr. Lovell recommended the Alcohol Control Board to accept the signed consent orders.

Motion to approve all listed signed consent orders was made by Board Member Holt and seconded by Board Member Hultman. Motion carried unanimously. Vote: 5-0

Mr. Lovell proceeded by explaining that the remaining violators have the right to appeal their case to City Council. Appeal must be made within 14 days; otherwise, the fine is due within 14 days. All violations go with the establishment.

5. Applebee's: 185 Cherokee Place: 2nd violation

Mr. Lovell gave an overview of the violation stating this is Applebee's 2nd Violation. Applebee's is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation

and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

Mr. Lovell sworn in Steven Gonzalez, representative for Applebee's. Employee that sold to underage person was also cited and will be heard before City Court.

Mr. Gonzalez stated he would like to plead guilty on both violations and stated that he, nor Applebee's, takes these violations lightly. Furthermore, he stated that the employee had been terminated and the manager had been reprimanded.

Board Member Hultman made a motion to evoke a \$2,000 fine, 30 day Alcohol License suspension, and an additional 3 year probation, for a total of 5 years. Board Member Smith seconded the motion. Motion carried unanimously. Vote: 5-0

Mr. Lovell stated the alcohol does not need to be removed from the premises; however, signage must be posted stating "No Alcohol Sales for 30 Days".

6. The Local Bar and Grill: 120 S. Erwin St.: 1st violation

Mr. Taff Wren, 128 W. Cherokee Ave, came forward as legal representation for The Local Bar & Grill. Mr. Wren stated that as a Council Member for The City of Cartersville, he will be recusing himself from all future hearings/appeals pertaining to this violation.

Board Member Kollhoff recuses himself as well.

Mr. Lovell gave an overview of the violation stating this is The Local Bar & Grill's first violation. The Local Bar & Grill is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underage persons subject to \$1,000 fine and 3-years' probation.

Mr. Wren stated that he wanted to please no contest to the charges and recommended the Board give a warning to the establishment considering this is a first offense in 10+ years of business. Furthermore, he stated that, from this point forward, all servers will be given a server packet (see Exhibit M) to review and must sign an acknowledgement of said package. The server that was charged with the violation has been terminated. Mr. Wren has provided The Local Bar & Grill with a binder that included all of the alcohol ordinances and stated that all employees have received the server packet, reviewed and signed the acknowledgment.

Board Member Brown inquired if proper training is supplied to all employees upon employment to which Mr. Wren replied 'only if they have no experience'. Board Member Brown asked why everyone is not fully trained, despite their experience. Mr. Wren stated the manager does assist those that are hired with experience to ensure rules are followed.

Motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Hultman. Motion carried unanimously. Vote: 4-0-1

7. The Page aka Corona's: 212 Tennessee St.: 1st violation

Mr. Lovell sworn in William Watkins, co-owner of establishment. Mr. Lovell gave an overview of the violation stating this is The Page aka Corona's first violation. The Local Bar & Grill is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underage persons subject to \$1,000 fine and 3-years' probation.

Mr. Watkins stated that the employee that sold to underage person was also cited and will be heard before City Court. Both the employee and manager was terminated. Two employees were cited as one server took the order and the other server delivered the drink and cashed the patron out. Only one server was terminated as the other employee was the owner's wife. Mr. Watkins continued to add that signage had been added stating "ID REQUIRED" and has also hired staff to monitor the entrance and check identification prior to entrance into the establishment.

Motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Kollhoff and seconded by Board Member Brown. Motion carried unanimously. Vote: 5-0

Mr. Watkins stated he is looking to sell the establishment to which Mr. Lovell explained that the violation goes with the establishment.

8. El Nopal: 540 Old Mill Rd.: 1st violation

Neither the Licensee, nor representative of, appeared on behalf of El Nopal regarding the following charges:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

After Mr. Lovell gave an overview of the violations and charges, a motion was made by Board Member Holt and seconded by Board Member Smith to find the Licensee and establishment guilty of the charges resulting in evoking \$1,000 fine and 3 years' probation. Motion carried unanimously. Vote: 5-0

9. Short Trip-Easy Trip No.2: 165 Cassville Rd.: 1st violation

Neither the Licensee, nor representative of, appeared on behalf of Short Trip-Easy Trip No.2 regarding the following charges:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years’ probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years’ probation.

After Mr. Lovell gave an overview of the violations and charges, a motion was made by Board Member Holt and seconded by Board Member Kollhoff to find the Licensee and establishment guilty of the charges resulting in evoking \$1,000 fine and 3 years’ probation. Motion carried unanimously. Vote: 5-0

Board Member Holt leaves Council Chambers.

A motion was made to remove new Alcohol Application for Great Eastern Company from the table. Motion was made by Board Member Kollhoff and seconded by Board Member Smith. Motion carried unanimously. Vote: 4-0

10. Review of Beer/Wine Package Alcohol License by Tanveer Javed for Great Eastern Company located at 2472 US-411. New Owner/Application.

Mr. and Mrs. Javed came forward to speak for their application. Board Member Hultman explained that this establishment is currently under violation and has a 3 year probation. Mr. and Mrs. Javed stated that they were made aware of the violation by the current owner and understands the probation term.

A motion was made to approve the Package Beer/Wine Alcohol License for Great Eastern Company by Board Member Kollhoff and seconded by Board Member Brown. Motion carried unanimously. Vote: 4-0

Board Member Holt returns to the Council Chambers.

11. ABC Liquor: 330 Cherokee Place: 1st Violation

Mr. Lovell sworn in Kenny Shah, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is ABC Liquor’s first violation. ABC Liquor is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years’ probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years’ probation.

Kenny Shah came forward and stated he would like to plead guilty to all charges. He stated it was his father who sold to an underage patron and had previously been skipping the identification check. However, Mr. Shah has installed a program onto the cash register that now requires the date of birth to be entered into the register prior to any sale being completed.

Officer Ashley Payne was asked to come forward and sworn in by Mr. Lovell. The video was played that reflected the vertical (Under 21) identification was shown and the sale still commenced.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Kollhoff and seconded by Board Member Holt. Motion carried unanimously. Vote: 5-0

12. IMP Fuel/Gas N Go: 301 S. Erwin St.: 1st Violation

Mr. Lovell sworn in Chetan Patel, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is IMP Fuel/Gas N Go's first violation. IMP Fuel/Gas N Go is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

Mr. Patel came forward and stated he would like to plead guilty to the charges and stated he had worked very long hours and was very exhausted which led to not asking for proper identification.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Kollhoff. Motion carried unanimously. Vote: 5-0

13. BP Foodmart: 263 Cassville Rd.: 1st Violation

Mr. Lovell sworn in Sanjaykumar Rameshbhai Patel, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is BP Foodmart's first violation. BP Foodmart is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

Mr. Patel came forward and stated he would like to plead guilty to the charges.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Smith. Motion carried unanimously. Vote: 5-0

Mr. Lovell stated that two cases have sought legal counsel and have requested an extension due to conflict of scheduling. These two cases will be heard at a Special Called Alcohol Control Board Meeting scheduled for Wednesday, March 24, 2021 at 10:00 A.M. at City Hall, 3rd Floor, Council Chambers. These two cases are Citgo Express located at 1144 N. Tennessee Street and Mack's Marathon located at 1139 N. Tennessee Street.

Frank McCann, Chief of Police, came forward to give accolades to the individuals that organized and executed this successful sting operation.

Board Member Hultman suggested to require servers licensing for retail establishments that serve alcohol. Mr. Lovell stated it is possible and that is something that can be looked at further.

Board Member Holt asked about training provided by the City for servers prior to obtaining their servers license. Chief McCann stated he would look into an automated testing program. It was also suggested by Board Member Hultman to require the ServSafe certificate prior to obtaining servers license as a viable option as well.

Mr. Lovell called Randy Mannino, Planning and Development Director, up to inquire about JZ's Taste of Georgia having a Sunday Sales license despite the fact that they do not meet the local or state requirements. Julia Drake, City Clerk, stated that they do currently hold a Sunday Sales license. Mr. Lovell stated that the Sunday Sales portion of their alcohol license must be revoked and a refund issued for the issuance of said license for 2021.

A motion was made to adjourn by Board Member Holt at 11:30 A.M. Board Member Smith seconded the motion.

Meeting adjourned.

Date Approved

/s/ _____
Chairman

/s/ _____
Secretary

TAFF WREN, P.C., LAWYER
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Cartersville, Georgia 30120
taff@rtwlawpc.com



THE LOCAL BAR & GRILL SERVER PACKET

Sec. 4-9. - Sale unlawful at certain times.

It shall be unlawful for any person to sell any malt beverage and wine and distilled spirits on any Christmas Day or on any day prior to 6 00 a m. or after 12 00 p m. unless specifically provided for herein. Additionally, it shall be unlawful for any person to sell by package distilled spirits on Thanksgiving Day.

(Ord. No. 81-05, § 1, 10-6-05; Ord. No. 07-06, § 1, 3-2-06; Ord. No. 23-11, § 2, 12-1-11)

Sec. 4-13. - Licensees to keep copy of article on premises; employees to be familiar with terms; responsibility of licensee for violations.

Each pouring licensee shall keep a copy of this article in the licensed premises and shall instruct any person working there with respect to the terms hereof and each licensee, the licensee's agents and employees selling, pouring and serving distilled spirits shall at all times be familiar with the terms hereof. The licensee shall be responsible for any acts of agents or employees which are in violation of this article or of the laws of the state or the rules and regulations of the state revenue commissioner.

(Ord. No. 81-05, § 1, 10-6-05)

Sec. 4-16. - Sales to certain persons prohibited.

No malt beverage and wine and/or distilled spirits licensee or employee thereof shall give, sell or offer to sell, pour or serve any distilled spirits to any person who is noticeably intoxicated, or who is of unsound mind, or who is a habitual drunkard whose intemperate habits are known to the pouring licensee or employee thereof.

(Ord. No. 81-05, § 1, 10-6-05)

Sec. 4-21. - Purchase by or sales to underaged persons.

- (a) No license holder and/or employee of a package outlet, pouring outlet, or other licensed establishment shall knowingly furnish, sell or offer for sale any malt beverages, wine or distilled spirits to a person under twenty-one (21) years of age. This prohibition shall not apply with respect to the sale of any malt beverages, wine or distilled spirits to a person when such person has furnished proper identification showing that the person to whom the malt beverages, wine and distilled spirits are being sold is twenty-one (21) years of age or older. In this subsection, "proper identification" means any document issued by a governmental agency containing a description of the person, such person's photograph or both, and giving such person's date of birth, including, but not limited to, a passport, military identification card, driver's license, or identification card authorized under an act to require the state department of public safety to issue identification cards to handicapped persons who do not have a motor vehicle driver's license. "Proper identification" does not include a birth certificate.
- (b) Subsection (a) shall not apply to the following:
- (1) Whenever a malt beverage, wine or distilled spirits is purchased for medical purposes pursuant to a prescription of a physician duly authorized to practice medicine in the state,
 - (2) Whenever malt beverages or wine are purchased for consumption at a religious ceremony
- (c) The licensee shall post in the most conspicuous place in his establishment a sign for each license printed in letters at least four (4) inches high containing the following language for each license issued: "SALE OF MALT BEVERAGES, WINE OR DISTILLED SPIRITS TO MINORS STRICTLY PROHIBITED."

- (d) It shall be unlawful for any minor to falsely misrepresent his age in any manner whatsoever. It shall be unlawful for any minor to drink, or possess any alcoholic beverages, except as stated in subsection (a) of this section, or except as provided in O.C.G.A. § 3-3-23.
- (e) The municipal court, in accordance with O.C.G.A. § 36-32-10, is granted jurisdiction to try and dispose of a first offense violation of O.C.G.A. § 3-3-23, relating to furnishing alcoholic beverages to, and purchase and possession of alcoholic beverages by, a person under twenty-one (21) years of age, if the offense occurred within the corporate limits of the city. O.C.G.A. § 36-32-10 is incorporated herein by reference.

(Ord. No. 81-05. § I, 10-6-05)

Sec. 4-151. - Employee identification cards.

- (a) Any person, including the licensee, who works in a pouring outlet or package wine outlet shop which provides wine samples selling, pouring, serving alcoholic beverages or providing samples shall apply to the police department for a distilled spirits and/or malt beverage and wine employee identification card, which card shall expire on the person's birthday and be renewable on or before that time. The fee for the initial card shall be twenty-five dollars (\$25.00). The fee for a replacement card shall be twenty-five dollars (\$25.00). The fee for renewal of such card shall be ten dollars (\$10.00). In the event that a renewal of such card is late, an additional fee of twenty-five dollars (\$25.00) will be assessed for all renewals after the renewal date for each individual. Fees shall be paid to the City of Cartersville Police Department.
- (b) While on duty in a pouring outlet or package wine shop, every person required to hold an employee identification card under subsection (a), shall visibly wear his employee identification card on their person at all times.
- (c) Pouring outlet or package wine shop employees shall make themselves available for photographing, fingerprinting and such other investigating as may be required by the police department.
- (d) The police department shall investigate the employee applicants. A distilled spirits and beer/wine pouring employee or package wine outlet employee identification card shall not be issued to any person who has pled guilty to, or has been convicted of a felony within the last five (5) years, shall not have been convicted, within five (5) years of the date of the application, of a felony or any violation of the laws of this state or any other state relating to the sale of alcoholic liquor or malt beverages; in an establishment that sells, serves, or distributes alcoholic beverages, after being issued a license any charge for selling/pricing alcoholic beverages to a minor, and shall not have had revoked, for cause, such as a violation of regulations or improper operation, within five (5) years next preceding his application, any license issued to him by any state, county or municipality to sell alcoholic liquor or malt beverages of any kind. The police department shall report any other detrimental information about an application to the alcohol control board and may prohibit the issuance of a distilled spirits and beer/wine pouring identification card where the applicant's record indicates such employment would adversely affect the public health, safety or welfare, or violate the law.
- (e) No licensee under the provisions of this article shall hire any person, nor any person to work or assist in a pouring outlet or package wine outlet until such person has procured a distilled spirits and/or malt beverage and wine employee identification card.
- (f) The police department may provisionally grant an identification to an applicant, pending investigation and report. Where the report, when reviewed, is unfavorable as set out in subsection (d), the department may revoke the card and demand its return.
- (g) The police department may, after reasonable notice and hearing (unless waived), revoke an identification card and demand its surrender where the employee violates the provisions of this article, or becomes one who adversely affects the public health, safety and welfare.
- (h) It shall be unlawful for an employee whose card has been revoked, and upon whom demand for surrender of a card has been made, to refuse to so surrender, or to alter, conceal, deface or destroy the card.

(Ord. No. 81-05, § 1, 10-6-05; Ord. No. 59-06, § 1, 8-3-06; Ord. No. 08-10, § 19, 3-18-10)

Sec. 4-120. - Pouring outlets.

The following provisions shall apply to pouring outlets:

- (1) The building or proposed building where pouring will take place shall meet all requirements of the city building inspector.
- (2) No percentage leases of buildings for pouring shall be permitted.
- (3) No pouring shall be permitted between the hours of 1:30 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 1:30 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.
- (4) No wine or malt beverages or distilled spirits may be consumed on the premises of the pouring outlet between the hours of 2:00 a.m. Sunday and 11:00 a.m. Sunday, or between the hours of 12:30 a.m. and 10:00 a.m. Monday through Thursday and/or between the hours of 2:00 a.m. and 10:00 a.m. Friday and Saturday except as provided in subsection (9) herein.
- (5) In no event shall wine or malt beverages or distilled spirits be sold or delivered during the prohibited hours, set forth in subsections (3) and (4), based upon any devise or scheme, including the timely sale of tickets, chits and decanters.
- (6) It shall be unlawful to employ knowingly in any pouring outlet in any capacity whatsoever, including that of performer, entertainer or musician, any person who has pleaded guilty to or been convicted of any felony involving moral turpitude, or any crime relating to the manufacture or sale of intoxicating beverages within the last five (5) years.
- (7) It shall be the duty of the management of a pouring outlet to maintain a copy of this division at the outlet and to instruct each employee on the terms thereof.
- (8) As permitted by the City of Cartersville Code of Ordinances, outdoor pouring shall be allowed at sidewalk, or right-of-way cafes.
- (9) On New Year's Eve only, the pouring hours shall be extended to 1:30 a.m., and the hours of consumption shall be extended until 2:00 a.m.

(Ord. No. 52-08, § 1, 12-4-08; Ord. No. 15-10, §§ 1—3, 6-3-10; Ord. No. 32-19, § 1.B., 8-15-19)

Editor's note— Ord. No. 52-08, § 1, adopted Dec. 4, 2008, deleted the former § 4-120, and enacted a new § 4-120 as set out herein. The former § 4-120 pertained to similar subject matter. See the Code Comparative Table for complete derivation.

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Cartersville, Georgia 30120
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**THE LOCAL BAR & GRILL'S
NEW SERVER NOTICE AND ACKNOWLEDGMENT OF
CITY ORDINANCES PERTAINING TO SELLING ACOHOL TO MINORS,
PENALTIES FOR VIOLATING ORDINACES, &
WORK RELATED PENALTIES**

By signing this document, the undersigned, a server at the Local Bar & Grill has been provided a new server packet which contains all relevant ordinances concerning the sale of alcohol to minors. Further, undersigned server has been provided and reviewed these ordinances, as well as, the ordinances that pertain to employee identification cards, noticeably intoxicated individuals and pouring/closing times.

The undersigned also acknowledges that should they serve alcoholic beverage(s) to a minor can be criminally prosecuted. Undersigned server further acknowledges that should they violate any ordinance that relates to the license holder, or any of the ordinances expressly provided to them in their packet, said server shall be terminated immediately, and should the license holder face any fines as a result of the server's actions, shall be required to reimburse the license holder for the fine imposed.

By signing this document the undersigned server acknowledges, understands and consents to the terms expressed herein, and that they have reviewed and are aware of the ordinances provided in the packet, as well as, any and all penalties they may face should they violate said ordinances.

Lastly said server acknowledges that they were shown and had an opportunity to read through the Local's city ordinance binder containing all relevant ordinances to the sale and pouring of alcoholic beverages.

Said server acknowledges, understands and consents on this _ day of _____, 20__

(signature) (SEAL)

(print name)

TAFF WREN, P.C., LAWYER
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Cartersville, Georgia 30120
taff@twlawpc.com



**THE LOCAL BAR & GRILL'S
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Lastly said server acknowledges that they were shown and had an opportunity to read through the Local's city ordinance binder containing all relevant ordinances to the sale and pouring of alcoholic beverages.

Said server acknowledges, understands and consents on this 8 day of March, 2021.

Kendall Steiner (SEAL)
(signature)
Kendall Steiner
(print name)

TAFF WREN, P.C., LAWYER
128 W. Cherokee Avenue
Cartersville, Georgia 30120
taff@rtwlawpc.com



**THE LOCAL BAR & GRILL'S
NEW SERVER NOTICE AND ACKNOWLEDGMENT OF
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Lastly said server acknowledges that they were shown and had an opportunity to read through the Local's city ordinance binder containing all relevant ordinances to the sale and pouring of alcoholic beverages.

Said server acknowledges, understands and consents on this 9 day of March, 2021.


(signature) (SEAL)
Robin Steiner
(print name)

TAFF WREN, P.C., LAWYER
128 W. Cherokee Avenue
Cartersville, Georgia 30120
taff@rtwlawpc.com



**THE LOCAL BAR & GRILL'S
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Lastly said server acknowledges that they were shown and had an opportunity to read through the Local's city ordinance binder containing all relevant ordinances to the sale and pouring of alcoholic beverages.

Said server acknowledges, understands and consents on this 8 day of March, 2020.

Laken Bennett (SEAL)
(signature)

Laken Bennett
(print name)

TAFF WREN, P.C., LAWYER
128 W. Cherokee Avenue
Cartersville, Georgia 30120
taff@rowlawpc.com



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WORK RELATED PENALTIES**

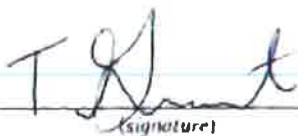
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Lastly said server acknowledges that they were shown and had an opportunity to read through the Local's city ordinance binder containing all relevant ordinances to the sale and pouring of alcoholic beverages.

Said server acknowledges, understands and consents on this 8 day of March, 2021.



(signature) (SEAL)
Tori Grant
(print name)

it with you as proof of your TIPS certification.

ID#: 5277079 Name: Robin S Steiner
Exam Date: 1/10/2020 Expiration Date: 1/10/2023



eTIPS On Premise 3.0

CERTIFIED

Issued: 1/10/2020 Expires: 1/10/2023
ID#: 5277079

Robin S Steiner
The Local Bar & Grill
120 S Irwin Street
Cartersville, GA 30120

For service visit us online at www.gettips.com



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it with you as proof of your TIPS certification.

ID#: 4627183 Name: Lauren A Steiner
Exam Date: 9/14/2017 Expiration Date: 9/14/2020

CERTIFIED

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Issued: 9/14/2017 Expires: 9/14/2020

ID#: 4627183

Lauren A Steiner
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Cartersville, GA 30120-3575

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it with you as proof of your TIPS certification.

ID#: 5277136 Name: Kendall S Steiner

Exam Date: 1/10/2020 Expiration Date: 1/10/2023



eTIPS On Premise 3.0

CERTIFIED

Issued: 1/10/2020

Expires: 1/10/2023

ID#: 5277136

Kendall S Steiner
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TIPS CERTIFICATION

Home (<https://www.beveragetraining.com/>) > TIPS Certification

If you will sell or serve alcohol, it is crucial you get certified in proper alcohol training. Since there are numerous rules and regulations concerning age requirements for whom alcohol can be served to in a restaurant or other establishment, knowing how to properly perform your job will save you many unnecessary headaches along the way. By completing a TIPS Certification course you'll be able to have complete confidence while on the job.



How Do I Get Started?

To get started gaining your TIPS bartender certification (<https://www.beveragetraining.com/pennsylvania-ramp-tips-certification/>), you'll simply choose which course is best for you and your employment situation from the various options. After doing so, you'll be able to complete your TIPS certification online at your own pace from home, work, or wherever you might be at the time. Upon doing so and passing the TIPS exam, you'll receive your certification by mail within 10 business days.

What is TIPS Certification?

This training course, which can be completed online within 2-3 hours, focuses on various issues specifically related to serving alcohol at restaurants, hotels, bars, and other establishments, which can also include private parties and on-premise liquor license holders where alcohol is served by the drink. Valid for three years upon completion, the course covers such topics as how to prevent intoxication, underage drinking, and drunk driving among those to whom alcohol is sold or served.

Who Needs to be TIPS Certified?

As for who needs TIPS alcohol certification, this includes anyone who serves alcohol in an establishment that holds a liquor license. Common occupations requiring TIPS alcohol certification include bartenders, servers, managers, and hosts or hostesses.

Why Should I Gain TIPS Certification?

Since TIPS is recognized around the world as the leader in education and training for those who sell and serve alcohol, gaining this certification ensures you will have the knowledge and skills required to do your job in the best possible manner. Due to its skills-based training format, you will be able to work well in a variety of environments. Thus, it not only makes you a desirable job candidate, but also helps with creating a safe work environment, providing legal protection, and helping you avoid mistakes that can lead to penalties and fines linked to illegal alcohol sales.

Which TIPS Certification Course Should I Choose?

When choosing a certification course, it will largely come down to the type of job you have or aspire to have later on. Since there are four different TIPS alcohol certification courses from which to choose, always make sure you choose the one that best fits your needs. To make sure any questions you have are answered, here are basic descriptions of all four courses and the differences.

between each

TIPS for On-Premise

If you are seeking TIPS bartender certification, the TIPS for On-Premise course is probably the course for you. The most popular course offering, the On-Premise course is a five-hour course that covers essential topics related to the sale and serving of alcohol in bars, hotels, and other places. If you are currently working as a server in these or other related settings or plan to do so in the near future, the TIPS On-Premise course is highly recommended.

On-Premise (<https://gettips/36aVB3j>)

TIPS for Off-Premise

If you are currently working in a grocery store, liquor store, gas station, or convenience store and are in need of TIPS certification online (<https://www.beveragetraining.com/pennsylvania-ramp-tips-certification/>), the TIPS for Off-Premise course should be the course you complete. A three-hour program that covers all the essential elements associated with selling alcohol in these businesses, the Off-Premise course will help make sure you don't mistakenly sell alcohol to underage or intoxicated customers.

Off-Premise (<https://gettips/2RvWy0l>)

TIPS for Gaming

If you want to work in a casino or perhaps on a riverboat where gambling takes place, it is vital you complete the TIPS for Gaming online course. Like the On-Premise course, this can also be completed in five hours. Focused on various issues that may arise with guests who are being served complimentary cocktails while participating in various gaming activities, it also trains you in how to deal with guests who may be staying on-site at the property.

Gaming (<https://gettips/2uo71Dv>)

TIPS for Concessions

Finally, if you are working in such venues as stadiums, arenas, theaters, or perhaps at amusement parks, fairs, or concerts and festivals, completing the three-hour TIPS for Concessions online course will give you the training needed to handle various situations involving alcohol at these sites and events.

Concessions (<https://gettips/30HRU47>)

By completing whichever TIPS certification courses you may need, both you and your employer will not only meet state and local training requirements, but also ensure no violations of rules and regulations pertaining to the sale and serving of alcohol take place. In doing so, you gain peace of mind on the job, knowing you have the knowledge and skills needed to deal with various situations.

CONTACT

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Blog (<https://www.beveragetraining.com/blog/>)

Contact (<https://www.beveragetraining.com/contact/>)

TRAINING COURSES

Online Certification Course (<https://www.beveragetraining.com/online-certification-courses/>)
Alcohol Seller Server Training (<https://www.beveragetraining.com/alcohol-seller-server-training/>)
Food Handler Training (<https://www.beveragetraining.com/food-handler-training/>)
Food Protection Manager (<https://www.beveragetraining.com/food-protection-manager-certification/>)
Haccp Certification (<https://www.beveragetraining.com/haccp-certification/>)
Hccp Certification Course (<https://www.beveragetraining.com/haccp-certification-course/>)
Haccp Food Safety Training (<https://www.beveragetraining.com/haccp-food-safety-training/>)

STATES

Arizona (<https://www.beveragetraining.com/arizona-liquor-license-title-4-certification/>)
California (<https://www.beveragetraining.com/california/>)
Oregon OLCC Permit (<https://www.beveragetraining.com/oregon-clcc-permit/>)
Wisconsin Responsible Beverage Server Training (<https://www.beveragetraining.com/wisconsin/>)
Pennsylvania RAMP Certification (<https://www.beveragetraining.com/pennsylvania-ramp-tips-certification/>)
RAMP Certification (<https://www.beveragetraining.com/plcb-ramp-certification/>)
Utah Alcohol Certification (<https://www.beveragetraining.com/utah-alcohol-certification-and-utah-beverage-server-training/>)
Utah Alcohol Server Training (<https://www.beveragetraining.com/utah-alcohol-server-training/>)
Illinois BASSET Certification (<https://www.beveragetraining.com/basset-certification/>)
Illinois Basset Alcohol Certification (Basset Alcohol Training) (<https://www.beveragetraining.com/illinois-basset-alcohol-certification-basset-alcohol-training/>)

Texas (<https://www.beveragetraining.com/tabc-certification/>)
What is a Texas TABC Certification? (<https://www.beveragetraining.com/what-is-a-texas-tabc-certification/>)
TABC Certification Online (<https://www.beveragetraining.com/tabc-certification-online/>)
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San Antonio TABC Certification (<https://www.beveragetraining.com/san-antonio-tabc-certification/>)
Houston TABC Certification (<https://www.beveragetraining.com/houston-tabc-certification/>)
Austin TABC Certification (<https://www.beveragetraining.com/austin-tabc-certification/>)
Food Protection Course (<https://www.beveragetraining.com/food-protection-course/>)
Food Safety Certification in Minnesota (<https://www.beveragetraining.com/food-safety-certification-in-minnesota/>)
Food Safety Manager Certification in Idaho (<https://www.beveragetraining.com/food-safety-manager-certification-in-idaho/>)
Food Safety Certification in California (<https://www.beveragetraining.com/food-safety-certification-in-california/>)
Food Safety Certification in Florida (<https://www.beveragetraining.com/food-safety-certification-in-florida/>)
TIPS Certification (<https://www.beveragetraining.com/tips-certification/>)

ACB PACKAGE COVER PAGE

ACB CASE NO.:	21-020
ESTABLISHMENT:	THE LOCAL BAR & GRILL**
ESTABLISHMENT ADDRESS:	120 S. ERWIN STREET
LICENSEE:	GIPSON, Dean
HEARING DATE:	MARCH 10, 2021

DOCUMENTS WITHIN PACKAGE:

Notice Letter with Plea Offer/Consent Order - Acknowledgment Copy
by Establishment

Alcohol License

Business License

Field Report

Investigative Summary

Receipt for Purchase

Citation to Employee

****COUNSEL FOR ESTABLISHMENT, TAFF WREN, ADVISED HIS
CLIENT REQUESTED A HEARING ON THIS MATTER**

ARCHER & LOVELL, P.C.

ATTORNEYS AT LAW
102 LEAKE STREET
P O BOX 1024
CARTERSVILLE, GEORGIA 30120

David G. Archer
E. Keith Lovell

Phone: (770) 386-1116
Fax: (770) 382-7484

February 22, 2021

Dean Gipson
The Local Bar and Grill LLC
120 S. Erwin St.
Cartersville, GA 30120

*VIA REGULAR MAIL AND VIA HAND DELIVERY TO THE
ESTABLISHMENT LOCATION IN CARTERSVILLE,
GEORGIA*

IN RE: **NOTICE OF SUSPENSION, PROBATION, FINE AND/OR REVOCATION
HEARING BEFORE THE CARTERSVILLE ALCOHOL CONTROL
BOARD ON MARCH 10, 2021 AT 10:00 AM**
Alcohol License Certificate Number: LL202002536
Customer Number: LCB201700128
License Type: Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
License Holder: Dean Gipson / The Local Bar and Grill LLC
Establishment: The Local Bar and Grill

Dear Mr. Gipson:

You are hereby notified by the Mayor and City Council of the City of Cartersville, Georgia, that Harlee Kay Roland, an employee of The Local Bar and Grill LLC was charged and issued a citation for selling alcohol to minors on January 26, 2021. Harlee Kay Roland is scheduled for trial on July 12, 2021, at 3:00 pm in the City of Cartersville Municipal Court for the citation of selling to minors.

Selling alcohol to minors is a violation of the City of Cartersville Code of Ordinance Section 4-21. It is also a violation by the license holder, pursuant to Sec. 4-13 of the City of Cartersville Code of Ordinances. The Alcohol Control Board of the City of Cartersville has scheduled a hearing to determine whether or not your City of Cartersville Alcohol License should be fined, suspended, revoked, placed on probation and/or any combination thereof pursuant to City of Cartersville Code of Ordinances Sections 4-203 and 4-209.

You and/or your employee have been charged with two (2) violations of the City of Cartersville Alcohol Ordinance, specifically, Sections 4-13 and 4-21 of the City of Cartersville Code of Ordinances. You, as the license holder, are subject to a fine of up to \$1,000.00 on each violation, and up to three (3) years' probation on each violation for a total of \$2,000.00 and/or 6 years' probation. Additionally, the Alcohol Control Board reserves the right to suspend and/or revoke your license(s) for each violation.

Please be advised that if found guilty of the alleged violations, you have the right to appeal pursuant to the requirements of City of Cartersville Code of Ordinances Section 4-209(c)(1), (2) and (3).

The Local Bar and Grill LLC
February 22, 201
Notice of Hearing – Alcohol Control Board
Establishment: The Local Bar and Grill
Page 2

You are hereby ordered to be and appear at said Alcohol Control Board hearing at 10:00 am on March 10, 2021, at the City Council Chambers, Third Floor, City Hall, Cartersville, Georgia, to show cause why your license should not be suspended, probated, revoked and/or a fine imposed. You have the right to plead guilty, not guilty, or no contest to the charges. Grounds for this hearing is that your establishment violated Sections 4-13 and 4-21 of the City of Cartersville Code of Ordinances.

IN LIEU OF A HEARING, THE ALCOHOL CONTROL BOARD HAS AUTHORIZED A PLEA AGREEMENT WITH YOU, SINCE THIS IS YOUR FIRST VIOLATION, UPON THE FOLLOWING CONDITIONS: YOU ENTER A PLEA OF "NO-CONTEST," PAY A FINE IN THE AMOUNT OF \$1,000.00, AND THREE (3) YEARS' PROBATION. IF YOU WISH TO ACCEPT THIS PLEA AGREEMENT, THE ATTACHED ORDER MUST BE SIGNED, AND PAYMENT IN THE AMOUNT OF \$1,000.00 MUST BE DELIVERED TO:

**ALCOHOL LICENSING CLERK
OFFICE OF COMMUNITY DEVELOPMENT
CITY HALL - 2ND FLOOR
10 NORTH PUBLIC SQUARE
CARTERSVILLE, GA 30120**

OR VIA MAIL TO:

**COMMUNITY DEVELOPMENT DEPARTMENT
PO BOX 1390
CARTERSVILLE, GA 30120**

SAID PAYMENT AND SIGNED ORDER MUST BE RECEIVED BY FRIDAY, MARCH 5, 2021, NO LATER THAN 4:30 PM. IF SAID ORDER AND PAYMENT IS NOT RECEIVED BY SAID DATE AND TIME, THE PLEA OFFER IS WITHDRAWN, AND THE HEARING SHALL BE HELD AS STATED ABOVE ON MARCH 10, 2021, 10:00 AM.

This hearing does not concern any other licenses which are held by the license holder. This letter is being sent pursuant to the requirement of the City of Cartersville Code of Ordinance Section 4-209(e).

Additionally, you have the right to be represented by counsel and to all subpoena powers which are available to the Alcohol Control Board at said hearing.

The Local Bar and Grill LLC
February 22, 201
Notice of Hearing – Alcohol Control Board
Establishment: The Local Bar and Grill
Page 3

This 22nd day of February, 2021.

Very truly yours,

ARCHER & LOVELL, P.C.

14 E. Keith Lovell

E. Keith Lovell
Assistant Attorney for the City of Cartersville

EKL/slf

cc: City Manager, City of Cartersville
Planning and Development Director, City of Cartersville
Chief of Police, City of Cartersville
City Clerk, City of Cartersville

Enclosure

.....

This letter was served upon Laken Bennett at
The Local Bar & Grill on the 23 day of February, 2021 by the
undersigned Police Officer/Code Enforcement Officer and service is hereby acknowledged.

Laken Bennett
Signature of Person Served

[Signature]
POLICE OFFICER/CODE ENFORCEMENT OFFICER

BEFORE THE ALCOHOL CONTROL BOARD
CITY OF CARTERSVILLE

CITY OF CARTERSVILLE, GEORGIA) CARTERSVILLE ALCOHOL
Licensor,) CONTROL BOARD
) VIOLATION HEARING NO: 21-____
)
v.)
)
DEAN GIPSON,)
)
Licensee.)
)
Establishment:)
THE LOCAL BAR AND GRILL)
120 S. ERWIN STREET)
CARTERSVILLE, GA)
)
Alcohol License Certificate No:)
LL202002536)

CONSENT JUDGMENT AND ORDER

On January 26, 2021, License Holder committed a violation of the City of Cartersville Code of Ordinances, specifically Section 4-21 as stated in the Notice Letter of February 22, 2021.

The Licensee consents to the jurisdiction of the Alcohol Control Board in this matter. As this is a first offense, the Alcohol Control Board has offered a plea deal to the Licensee of a fine in the amount of \$1,000.00 and three (3) years' probation. Licensee has reviewed this plea individually and/or with legal counsel of their choosing, and hereby consents to said Judgment.

This Plea Offer is only valid until March 5, 2021. If received after March 5, 2021, 4:30 p.m., said Plea Offer is NULL AND VOID.

In lieu of a hearing, the Licensee enters a plea of NO CONTEST to the violations of City of Cartersville Code of Ordinances 4-21 and the Board accepts the Licensee's plea of no contest and imposes the following penalties:

- 1) A fine in the amount of: \$1,000.00 per violation; and

Consent Judgment and Order
Licensee: Dean Gipson
Establishment: The Local Bar and Grill
Page 2

2) Probation for three (3) years to begin on March 5, 2021 and ending March 4, 2024.

Licensee agrees to accept the plea deal and waives the right to appeal to the Mayor and City Council.

Payment of the fine and presentation of the signed Plea Deal is to be made at the City of Cartersville, Community Development Department Office, located at 10 North Public Square, 2nd Floor, P.O. Box 1390 Cartersville Georgia 30120, and is due by Friday, March 5, 2021, no later than 4:30 p.m.

BE IT AND IT IS ORDERED, this 10th day of March, 2021.

CONSENTED TO BY AND PREPARED BY:

E. Keith Lovell
Assistant City Attorney
City of Cartersville
Georgia Bar No. 459390
Archer & Lovell PC
PO Box 1024
Cartersville, GA 30120

LICENSEE HAS READ, UNDERSTANDS, CONSENTS AND AGREES TO THIS CONSENT JUDGMENT AND ORDER, AND HAS SIGNED THIS CONSENT JUDGMENT AND ORDER THIS ____ DAY OF _____, 2021.

DEAN GIPSON
OR AUTHORIZED REPRESENTATIVE

Print Name of Authorized Representative if not Licensee
Signing: _____

Title/Position of Person Signing if not Licensee: _____

Consent Judgment and Order
Licensee: Dean Gipson
Establishment: The Local Bar and Grill
Page 3

CERTIFICATE OF SERVICE

This is to certify I have this day served the above Licensee, or counsel of record, via mail to the address listed on Licensee's Alcohol License, with a copy of the within and foregoing Consent Judgment and Order, this 10th day of March, 2021.

E. Keith Lovell

E. Keith Lovell, Assistant City Attorney
City of Cartersville

PO Box 1024
Cartersville, Georgia 30120
(770) 386-1116

Alcohol License City of Cartersville, Georgia



Business Mailing Address:

DEAN GIPSON
THE LOCAL BAR AND GRILL LLC
120 S ERWIN ST
CARTERSVILLE, GA 30120

Certificate Number
LL202002536

Business Address	120 S ERWIN ST
Alcohol License Type	Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
Business Type	722513 - Limited-Service Restaurants 722410 - Alcoholic Beverages
Customer Number	LCB201700128
Certificate Issued to	THE LOCAL BAR AND GRILL LLC
Certificate Amount	\$ 2,700.00
Expiration Date	12/31/2021

Date Issued: November 23, 2020

Director of Planning and Development

DISPLAY IN A CONSPICUOUS PLACE. MAY BE
REVOKED FOR CAUSE

Occupational Tax Certificate City of Cartersville, Georgia



Business Mailing Address:

DEAN GIPSON
THE LOCAL BAR AND GRILL LLC
120 S ERWIN ST
CARTERSVILLE, GA 30120

Certificate Number
0001202000962

Business Address: 120 S ERWIN ST

Business Type: 722513 - Limited-Service Restaurants
722410 - Alcoholic Beverages

Customer Number: LCB201700128

Certificate Issued To: THE LOCAL BAR AND GRILL LLC

Certificate Amount: 180.00

Expiration Date: 12/31/2021

Date Issued: November 23, 2020

Director of Planning and Development

DISPLAY IN A CONSPICUOUS PLACE. MAY BE
REVOKED FOR CAUSE

MISC00000889315

CARTERSVILLE POLICE DEPARTMENT
FIELD CASE REPORT

CASE# 2021-00001431

EVENT	REPORTED DATE/TIME 01/26/2021 21:34	OCCURRED INCIDENT TYPE Traffic/City	
	OCCURRED FROM DATE/TIME 01/26/2021 21:24	OCCURRED THRU DATE/TIME 01/26/2021 21:45	LOCATION OF OCCURRENCE The Local 120 S ERWIN ST SE CARTERSVILLE, GA

OFFENSES	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT
	01	4-21 Purchase by or sales to underaged persons	1

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect		NAME (LAST FIRST MIDDLE SUFFIX) ROLAND, HARLEE KAY					
	DOB 01/29/1993	AGE or AGE RANGE 27	ADDRESS (STREET CITY STATE ZIP) 11 TUMLIN ST SE F CARTERSVILLE, GA 30120					
	RACE White	SEX Female	HEIGHT or RANGE 5'6 5'6	WEIGHT or RANGE 150 150	HAIR Brown	EYE Brown		
	DL NUMBER/STATE 055425140 / GA	PRIMARY PHONE (404)387-6673	PHONE #2	PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE Business Victim		NAME (LAST FIRST MIDDLE SUFFIX) CITY OF CARTERSVILLE ,					
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP) 1 N ERWIN ST SE CARTERSVILLE, GA 30120					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE		
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3				

SUBJECT	JACKET/SUBJECT TYPE Officer Complainant		NAME (LAST FIRST MIDDLE SUFFIX) HICHEZ, O A					
	DOB	AGE or AGE RANGE	ADDRESS (STREET CITY STATE ZIP) 195 CASSVILLE RD SE CARTERSVILLE, GA 30120					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE		
	DL NUMBER/STATE	PRIMARY PHONE (770)382-2526	PHONE #2	PHONE #3				

REPORTING OFFICER 177 Hichez	DATE 01/26/2021	REVIEWED BY Hichez, O.A.	DATE 01/27/2021
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CARTERSVILLE POLICE DEPARTMENT

FIELD CASE REPORT

CASE# 2021-00001431

ADDITIONAL SUBJECTS

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)				
	Officer Other	HERRON, D W				
	DOB	AGE or AGE RANGE				
	ADDRESS (STREET, CITY, STATE, ZIP)					
195 CASSVILLE RD SE CARTERSVILLE, GA 30120						
RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2	PHONE #3		
(770)382-2526						

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)				
	DOB	AGE or AGE RANGE				
	ADDRESS (STREET, CITY, STATE, ZIP)					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2	PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)				
	DOB	AGE or AGE RANGE				
	ADDRESS (STREET, CITY, STATE, ZIP)					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2	PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)				
	DOB	AGE or AGE RANGE				
	ADDRESS (STREET, CITY, STATE, ZIP)					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2	PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)				
	DOB	AGE or AGE RANGE				
	ADDRESS (STREET, CITY, STATE, ZIP)					
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE
DL NUMBER/STATE	PRIMARY PHONE		PHONE #2	PHONE #3		

REPORTING OFFICER	DATE	REVIEWED BY	DATE
177 Hichez	01/26/2021	Hichez, O.A.	01/27/2021

CARTERSVILLE POLICE DEPARTMENT

FIELD CASE REPORT

CASE# **2021-00001431**

NARRATIVE

On Tuesday, January 26, 2021, between the hours of 1800-2300, the Cartersville Police Department's Criminal Investigation Division conducted alcohol license compliance checks at businesses within the City of Cartersville.

During the compliance checks, multiple businesses were checked for their compliance with the regulations for identifying and selling alcohol to minors. During the compliance check, Harlee Roland was working as the clerk at The Local Bar & Grill, 120 South Erwin Street, Cartersville, GA. Ms. Roland was discovered to be selling alcohol to an underage minor, even after checking the minor's ID.

Ms. Roland was issued a misdemeanor citation form for Sale of Alcohol to Minor, City Ordinance 4-21; citation # 2021-1431.

A copy of the citation was attached to the case file.

Nothing further.

REPORTING OFFICER

177 Hichez

DATE

01/26/2021

REVIEWED BY

Hichez, O.A.

DATE

01/27/2021



Cartersville Police Department

Criminal Investigation Division

Investigative Summary

Case Number : 2021-1431
Investigator : O.A. Hichez
Date : 01/26/2021
Reference : Alcohol Purchase at The Local Bar & Grill

On Tuesday, January 26, 2021, Sgt. A.L. Belcher, Inv. A.D. Payne, Inv. D.W. Herron, and I, conducted an alcohol license compliance check at The Local Bar and Grill, 120 South Erwin Street, Cartersville, GA. The compliance check was conducted utilizing Confidential Informant (CI) #20-05 (an underage cooperating citizen). Prior to the operation, the CI and his/her vehicle were searched for contraband, none was located. The CI was checked for personal money and found to have none. The CI was issued \$10 of prerecorded government funds and equipped with an audio/video recording device. The CI was instructed to enter the business and attempt to purchase alcohol at the bar. Investigator Herron and I monitored a live video feed nearby.

At 9:20 P.M., the CI entered the business. Upon the CI entering the business, the audio/video recording device lost connection with our monitoring device. At 9:23 P.M., the CI left the business and met with Investigators at a prearranged location. The CI informed Investigators he/she entered the business and sat at the bar. Once at the bar, the CI requested a Bud Light draft beer. The bartender, described as a white female with dark colored hair, who was wearing shorts, asked the CI for a Georgia ID. The CI provided a Georgia ID to the female bartender, who looked at the Georgia ID, and proceeded to serve

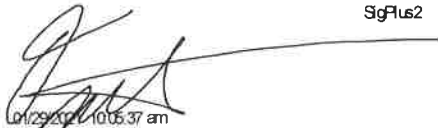
the CI with the alcoholic beverage. The CI uttered the \$10 of prerecorded government funds to the bartender for the Bud Light draft beer. The CI received \$6.50 in change and obtained a receipt, showing the cost of the Bud Light draft beer to be \$3.48.

Sgt. Belcher, Inv. Payne and I entered The Local Bar & Grill and met with the only on-duty female bartender who was wearing shorts, Harlee Roland (DOB: 01/29/1993). Ms. Roland became visibly emotional to seeing Investigators enter the business and was very apologetic. I explained the alcohol license compliance check and alcohol license regulations to Ms. Roland.

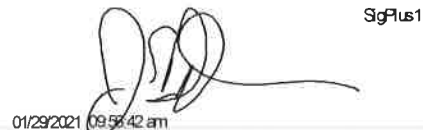
Ms. Roland was issued a Misdemeanor Citation Form (#2021-1431) for City Ordinance 4-21 Sale of Alcohol to a Minor.

I met with the CI and recovered the remaining government funds that he/she was provided. The remaining government funds and a voucher were turned over to Sgt. Belcher at the conclusion of the operation.

This case is cleared by arrest.

 SgFlus2
01/29/2021 10:05:37 am

Reporting Investigator Signature / Date

 SgFlus1
01/29/2021 09:59:42 am

Approving Supervisor Signature / Date

The Local Bar & Grill

120 South Erwin St
Cartersville, GA 30120
678-719-8588

Follow us on Facebook!

BAW B Table: Fast Bar
01/26/2021 Cst 1
09:21 PM 39343
Sale Num: 28831

1 BudLight Draft 3.25

SubTotal: 3.25
Sales: .23

Grand Total: 3.48

Pd. Cash: 10.00

Change: 6.52

Who has more fun than us!
Please drink responsibly.
The Local Bar & Grill are not
responsible for your over
indulgence of alcohol

STATE OF GEORGIA
UNIFORM CITATION, ACCUSATION & SUMMONS
GA0080100 NCIC NUMBER

CITATION NUMBER
2021-1431

COURT COPY

Page 1 of 2

COUNTY OF PARTON		AGENCY CARTERSVILLE P.D.			LATITUDE	AGENCY INCIDENT/CASE NO 2021-1431
CITY OF (IF APPLICABLE) CARTERSVILLE					LONGITUDE	COURT CASE NUMBER
DAY OF WEEK TUESDAY	MONTH JANUARY	DAY 26	YEAR 2021	TIME OF DAY 2140		
LOCATION OF OCCURRENCE 120 S ERWIN STREET				LOCATION DESCRIPTION THE LOCAL BAR & GRILL		

PERSON(S)

OFFENDANT	NAME (FIRST) CHARLEE	NAME (MIDDLE) KAY	NAME (LAST) ROLAND	DATE OF BIRTH & AGE 01/29/1993 27	SEX M	RACE W	HAIR B	HEIGHT 506	WEIGHT 150	HAIR BRO	EYES BRO	
	CITY OTY	PLACE OF BIRTH		IDENTIFICATION NUMBER 055425140	STATE GA	TYPE OF ID OLN	ID EXPIRES 01/29/2025					
	SCARS/MARKS/TATTOOS			ENDORSEMENTS NONE								
	STREET 11 TUMLIN ST APT F			CITY CARTERSVILLE		STATE GA	ZIP CODE 30120	PROBATION/PAROLE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
DATE OF ARREST 01/26/2021		LOCATION OF ARREST 120 S ERWIN STREET										
DEFENDANT EMAIL					DEFENDANT CELL # 404-387-8673							

VEHICLE(S)

TAG / REG	STATE	EXPIRATION	VIN	YEAR	MAKE	MODEL	COLOR
-----------	-------	------------	-----	------	------	-------	-------

CHARGE(S)

IN VIOLATION OF <input type="checkbox"/> GEORGIA CODE CODE SECTION	CODE DESCRIPTION	VIOLATION LEVEL <input checked="" type="checkbox"/> MUST APPEAR BEFORE JUDGE
IN VIOLATION OF <input type="checkbox"/> COUNTY ORDINANCE <input checked="" type="checkbox"/> CITY ORDINANCE CODE SECTION	CODE DESCRIPTION 4-21 SALES TO UNDERAGE PERSON	

NARRATIVE(S)

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant did commit, at the place and time aforesaid, the above violation(s) of law.

SHORT NARRATIVE DESCRIPTION
SAID ACCUSED DID SELL A BUD LIGHT DRAFT (AN ALCOHOLIC BEVERAGE) TO AN UNDERAGE PERSON

OFFICER NAME HICHEZ O A	OFFICER'S SIGNATURE
ID NO 177	ORGANIZATION UNIT CID

COURT INFORMATION

YOU ARE HEREBY ORDERED TO APPEAR BEFORE / REPORT TO THE

CARTERSVILLE MUNICIPAL COURT
178 WEST MAIN STREET
CARTERSVILLE GEORGIA 30120

PHONE: **(770)607-6307**

DEFENDANT SIGNATURE:

 COURT DATE: **07/12/2021**
 COURT TIME: **0300 PM**

To answer to the above charge. Your failure to appear shall result in a warrant issued for your arrest to be brought to court to answer the charge(s) above. By my signature, I authorize the court or a third party, on their behalf, to send text messages or phone calls to my cell phone to convey information regarding court appearances. I understand that standard text messaging rates will apply. I also understand that I may revoke this permission in writing at any time by filing a notice to "opt-out" with the clerk. THIS SUMMONS/CITATION IS ISSUED BY AUTHORITY OF THE LAWS OF THE STATE OF GEORGIA

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NCIC NUMBER
CITATION NUMBER
2021-1431

DEFENDANT COPY

NOTICE TO APPEAR

If you do NOT sign the summons, you may be arrested and held in custody until bail is determined.

You have been served with a citation and summons. Signing the summons is not agreement with the charge or the information contained on the front of this citation. It is an agreement to appear at the time and place shown on the summons. By signing the summons and providing your e-mail address and/or cellular phone number, you agree that the court may use these, in addition to your address, to contact you. **If you do not appear in court to answer the charge, a warrant will be issued for your arrest.**

SPECIAL CONDITIONS

All charges require that you DO NOT VIOLATE THE LAW WHILE YOUR CASE IS BEING RESOLVED.

If you are charged with a violation of O.C.G.A. § 16-7-21 (CRIMINAL TRESPASS); O.C.G.A. § 16-8-14 (THEFT BY SHOPLIFTING); or O.C.G.A. § 16-8-14.1 (REFUND FRAUD), the Court requires that you:

- 1) DO NOT RETURN TO THE LOCATION WHERE THE OFFENSE IS ALLEGED TO HAVE HAPPENED; &
- 2) DO NOT HAVE CONTACT WITH ANY VICTIM(S) OR WITNESS(ES) NAMED IN THE CITATION;

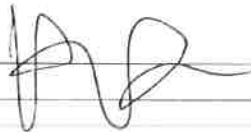
These conditions remain in place until the Court modifies the conditions of your release or your charges are disposed of.

If you are to be released, any additional Bond Procedures will be explained to you.

WAIVER AND PLEA OF GUILTY FOR CHARGES NOT REQUIRING A COURT APPEARANCE
[DOES NOT APPLY IF "MUST APPEAR BEFORE JUDGE" BOX ON REVERSE SIDE IS CHECKED]

I, the undersigned, do hereby enter my written, rather than personal appearance in the court case resulting from the charge on the reverse side of this citation. I understand that by paying my fine and not personally appearing before the court I am waiving any right that I might have had to a trial by judge or jury and to be represented by counsel. I further understand that by paying the fine, I have pled guilty to the offense as charged. I further agree to mail this waiver and plea to the address shown below or to deliver it in person to the court. **This waiver will not be accepted for any charge requiring a court appearance before a judge.**

SIGNATURE OF ACCUSED
SIGNATURE OF ATTORNEY



DATE _____
BAR NO _____

HOW TO CONTACT THE COURT

Requests to continue a case or change a court date must be in writing only, received prior to the court date, and approved by the court. You CANNOT be imprisoned solely for inability to pay a fine, but you MAY face imprisonment for failing to appear at a scheduled court date.

[Each agency should insert specific appearance instruction here and may include: methods for contacting the court, website information, map diagrams, any alternative dispute resolution which may be available, e-filing options, or procedures for resolving court conflicts or signing up for electronic notifications from the court.]

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NCIC NUMBER
CITATION NUMBER

COURT COPY

2021-1431

ARRESTING OFFICER CERTIFICATE

The undersigned being duly sworn upon his/her oath, deposes and states that s/he has just and reasonable grounds to believe, and does believe that the person named on the reverse side committed the offense therein set forth, contrary to the law.

Sworn and subscribed before me this 26 day of Jan, 2021.
Karen Wardlaw
Notary Public, Bartow County, GA
My Commission Expires February 27, 2024
Officer [Signature] Badge # 179

PROSECUTING OFFICIAL CERTIFICATE

IN THE _____ COURT OF _____

On behalf of the people of the State of Georgia, the undersigned, as prosecuting attorney for the city or county and state aforesaid, does hereby charge and accuse the person named on the reverse side of this citation with the offense named on the reserve side of this citation and that said offense was committed in the city/county and at the location named and at the time named on the reverse side of this citation. This offense was committed contrary to the laws of this state, the good order, peace and dignity thereof.

DISTRICT ATTORNEY/SOLICITOR/PROSECUTING OFFICIAL _____

APPEARANCE, PLEA, AND WAIVER

I, _____ have been advised that I am being charged with the offense named on the reserve side of this citation and that the minimum punishment that I can receive is _____ months imprisonment and/or a \$ _____ fine; and that the maximum punishment that I can receive is _____ months imprisonment and/or a \$ _____ fine. I have been advised of my rights to be represented by an attorney or that an attorney will be provided for me if I am determined to be indigent; to plead not guilty and be tried by a judge or jury; to confront the witnesses against me; and to not give incriminating evidence against myself. I hereby waive these rights; state that I have not been induced by any threat or promise to enter this plea, and do freely and voluntarily enter my plea.

This _____ day of _____, 20____.

ACCUSED _____
ATTORNEY _____

As Judge of the _____ COURT of _____, I have advised the above named accused as indicated of his/her rights, the nature of the charge against him/her, and possible consequences of the plea as entered. I am satisfied that there is a factual basis for the plea which the accused has entered and that it was entered freely and voluntarily with the nature of the charge and the consequences of the plea.

JUDGE _____

DISPOSITION AND SENTENCE

COURT: _____ COURT DATE: _____ CASE #: _____
DEFENDANT PLEA: GUILTY NOT GUILTY Nolo Contendere IN PERSON BY MAIL
TRIAL: JURY NON-JURY BENCH VERDICT: GUILTY NOT GUILTY ATTORNEY: _____
OTHER ACTION: BOND FORFEITURE NOL PROS NO RECORD DEAD DOCKET DISMISSED
 1st OFFENDER CONDITIONAL DISCHARGE
SENTENCE: Fine / Fee \$ _____ Probation _____
CONDITIONS/OTHER: _____
JUDGE: _____

[Each agency should insert specific appearance instruction here and may include: methods for contacting the court, website information, map diagrams, any alternative dispute resolution which may be available, e-filing options, or procedures for resolving court conflicts or signing up for electronic notifications from the court.]