

MEETING OF SEP 12, 2018

WARD 7(rf)

ITEM NUMBER _____

\$ IMPACT _____

ISSUE:

Application for a change of agent for privilege licenses for the sale of beer & wine (retail package) for Publix Super Markets Inc. dba Publix Super Markets #0753 with James Scott Hirsch as agent. Previous agent was Jasmin Ovcina as the agent.

SUMMARY:

James Scott Hirsch as the registered agent for Publix Super Markets Inc. dba Publix Super Markets #0753 requests privilege licenses for the sale of beer & wine (retail package) at 4480 South Cobb Drive.

BACKGROUND:

James Scott Hirsch will be the registered agent responsible for the sale of alcohol at the referenced location. Mr. Hirsch has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. (Certificate attached)

STAFF RECOMMENDATION:

A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of these licenses. James Scott Hirsch has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol.

REQUESTED ACTION:

Approval of a privilege license for the sale of beer & wine (retail package) for Publix Super Markets Inc. dba Publix Super Markets #0753 at 4480 South Cobb Drive with James Scott Hirsch as the registered agent.



APPLICATION FOR ALCOHOLIC BEVERAGE
AGENT CHANGE ONLY

Phone (678) 631-5321 Fax (770) 431-2808

Web site: www.smyrnacity.com

PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

TYPE OF LICENSE: [CHECK APPROPRIATE SPACES]

LIQUOR:

TRANSFER ()
PKG. BEER/WINE ()
PKG. DIST. SPIRITS ()
RETAIL POURING ()
Restaurant ()
Package Store ()

BEER:

TRANSFER ()
PKG. BEER/WINE (X)
PKG. DIST. SPIRITS ()
RETAIL POURING ()
Restaurant ()
Package Store ()

WINE:

TRANSFER ()
PKG. BEER/WINE (X)
PKG. DIST. SPIRITS ()
RETAIL POURING ()
Restaurant ()
Package Store ()

1. Legal Name of Business Publix Super Markets, Inc.
Operating name of the Business Publix Super Markets, Inc. #0753
Occupation Tax License Number 1489
Is the Business a proprietorship () partnership () corporation (X) foreign ()
2. Location 4480 S Cobb Dr SE Smyrna, GA 30080 Phone (770) 434-6225
3. Full name of Owner Publix Super Markets, Inc.
4. Has owner ever had an alcoholic beverage license revoked in Smyrna or other jurisdiction? Yes () No (X)
If yes, attach full details.
5. Full name of Agent Scott Hirsch
Social Security Number [REDACTED] Date of Birth 05-23-72
Are you a Citizen of the United States? Yes (X) No () Birthplace ST. LOUIS, MO
Current Address 2690 INDIAN LAKE DR City/State MARIETTA, GA Zip 30062
Home Telephone N/A Number of years at present address 14
Do you reside in Cobb County? Yes (X) No () If yes, how long 23 YEARS
Previous address 4096 AMBERLEY CT, KENNESAW GA 30144
Number of years at previous address 7 Drivers License Number and State [REDACTED] GA
What has been your occupation for the past five (5) years? Give detailed list STORE MANAGER
AT PUBLIX
Agent's employment date with owner 11/11/88

6. Has the applicant:

- (a) Been adjudicated as incompetent or insane, or been deemed to have insufficient mental capacity to conduct the business for which the application is made? Yes () No (X)
- (b) Been discharged from any military service under dishonorable conditions? Yes () No (X)
- (c) Within a five-year period immediately preceding the date of application, been arrested or convicted of violating any laws, ordinances, or regulations regulating such business? (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) Yes () No (X) If there was an arrest, are charges still pending? Yes () No ()
- (d) Within a five-year period preceding the date of application, been convicted for any felony charged under any of the laws of the several states or of the United States? Yes () No (X) (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) If there was an arrest, are charges are still pending? Yes () No ()
- (e) Within a three-year period preceding the application, been convicted of more than one misdemeanor, including traffic violations, involving the use or abuse of any alcoholic beverage, opiate or drug? Yes () No (X) (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) If there was an arrest, are charges still pending? Yes () No ()
- (f) Been currently placed on parole from any governing authority? Yes () No (X)

Has any license authorizing the sale of alcoholic beverages at the location for which the present license is sought:

- (g) Been declared to be under suspension, at the date the application is filed? Yes () No (X)
- (h) Been revoked within six months of the date that the application is filed? Yes () No (X)

If yes to any of the above questions, please attach full detail.

7. Do you, your spouse, any family members, or any of the other owners, partners, or stockholders have an interest in a retail liquor store(s)? Yes () No (X) If so, state the number of stores and where each stores is located.

8. Have you, your spouse, partner or stockholder any financial interest in the wholesale liquor business? Yes () No (X) If yes, give details.

9. Please initial here that you have received a copy of the City of Smyrna Alcoholic Beverage Ordinance JS

10. Are you familiar with the City of Smyrna ordinances and state and federal laws and regulations governing the operation of this type of business? Yes (X) No ()

11. Are you aware you are required to apply for a State license? Yes (X) No ()
Contact the Georgia Department of Revenue Alcohol Division (404-417-4900).

Training Institute for Responsible Vendors, Inc.

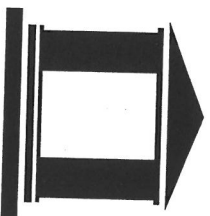
certifies that

James Scott Hirsch

has successfully completed training in our RASS Workshop thus
entitling them to all the rights and privileges appertaining thereto .

In witness thereof the undersigned have affixed their names
this 23rd day of August, 2018

Seal



President

A handwritten signature in dark ink, appearing to read 'James Scott Hirsch', written over the word 'President'.

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 08/23/2018 LICENSE & VARIANCE: 09/12/2018
TYPE OF LICENSE REQUESTED: PRIVILEGE LICENSES BEER/WINE PACKAGE

NEW APPLICATION: NO OWNERSHIP NO AGENT YES

NAME OF BUSINESS: PUBLIX SUPER MARKETS, INC.
dba PUBLIX SUPER MARKETS #0753

PLACE OF BUSINESS: 4480 SOUTH COBB DRIVE
SMYRNA, GA 30080

AGENT: JAMES SCOTT HIRSCH
2690 INDIAN LAKE DR.
MARIETTA, GA 30062

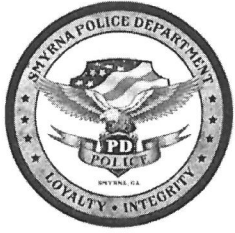
CITIZENSHIP YES
POLICE REPORT: DATE REQUESTED 07/30/2018 DATE RECEIVED 08/02/2018

RESULTS: INVESTIGATION FAILED TO REVEAL INFORMATION THAT WOULD
PRECLUDE ISSUANCE OF THESE LICENSES

TYPE OF BUILDING MASONRY
DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: N/A
ADVERTISED 08/31/2018 & 09/07/2018

COMMENTS: ALL TAXES PAID



"Policing with a Purpose"

Smyrna Police Department

Chief of Police
David Lee

2646 Atlanta RD SE
Smyrna, GA 30080-2118
Phone: 770-434-9481
Fax: 678-631-5005

Deputy Chief
Robert L. Harvey



Date: 08-02-18

To: Tammi Jones, City Administrator

From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards

Subject: Application for Alcohol License

Applicant: Hirsch, James

This applicant, **James Hirsch**, is the manager of the business listed below and has submitted an application with the business license office to obtain an alcohol beverage license / agent name change only, issued to **4480 S. Cobb Dr. Smyrna, GA. 30080.**

The business name is **Publix #753.**

The business is incorporated under the name **Publix #753.**

A background check was conducted on this applicant. There was nothing in his background within the criminal history requirements of City of Smyrna Ordinance 6-51 that would prohibit him from holding the license as long as he meets all the other requirements of the ordinances that regulate this type of business.

CC: Terri Graham, City Clerk
Jim Cox, Business License
File

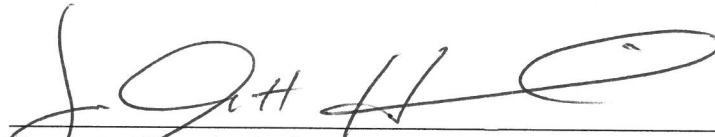
**CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE**

Phone (678) 631-5321 Fax (770) 431-2808

Web site: www.smyrnacity.com

GEORGIA, COBB COUNTY

I, JAMES SLOTT HINSEN, BEING DULY SWORN TO LAW, DO SWEAR THAT THE STATEMENTS MADE BY ME IN THE ABOVE AND FOREGOING APPLICATION ARE TRUE, AND NO FALSE, OR FRAUDULENT STATEMENT IS MADE HEREIN AND SUCH STATEMENTS WERE MADE IN ORDER TO PROCURE THE GRANTING OF A LICENSE.



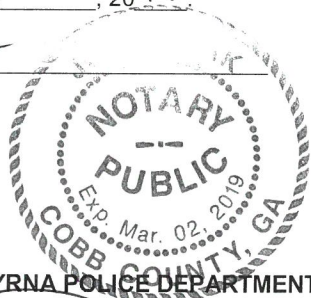
Signature of Managing Applicant (type name before signing)

Tiana Collins Manager Payroll/Retail Accounting
Signature and title of person other than Applicant completing this application

Phone Number: Work 863-688-1188 Home _____
X34485

Sworn to and subscribed before me
this 30 day of July, 2018


Notary Public



FOR Tiana Collins signature
9th day of July, 2018
Christie J. Burnett



CHRISTIE L BURNETT
Commission # GG 169098
Expires December 18, 2021
Bonded Third Budget Notary Services

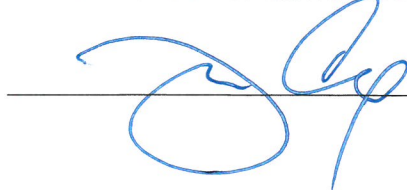
FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Holly

Date

7/30/18

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date

7/30/18



Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A.50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions.

The applicant is a United States citizen or legal permanent resident at least eighteen (18) years old. YES ☒ X ☐ NO ☐

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. The applicant's alien number issued by the Department of Homeland Security or other federal immigration agency must be provided.

YES ☐ NO ☐ Alien ID number

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of the Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

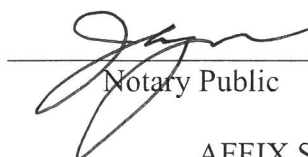

Signature

7-30-18
date

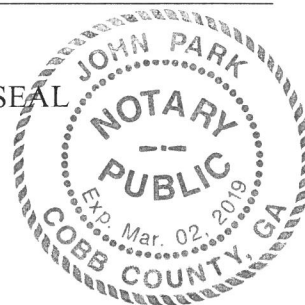
(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation.) **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**

I hereby certify that James Hirsch is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

This 30 day of July, 2018


Notary Public

AFFIX SEAL



You must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2. Such documents include a valid Georgia issued driver's license or ID Card, a valid driver's license issued by another state or an identification document issued by the United States Government.

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Publix Super Market Inc. dba Publix Super Markets #0753 located at 4480 South Cobb Drive, Smyrna, Georgia, requesting a privilege license for the sale of beer and wine (retail package). This application will be heard before the License and Variance Board for the City of Smyrna, 2800 King Street, Smyrna, Georgia on September 12, 2018 at 710:00 a.m. All concerned persons are hereby notified.

James Scott Hirsch
Licensee

Publix Super Market Inc.
dba Publix Super Market #0753
4480 South Cobb Drive
Smyrna, Georgia 30080

Ads to Run Aug 31, 2018 and Sep 7, 2018