


Atlanta Police Department Policy Manual		Standard Operating Procedure
Effective Date: December 8, 2021		APD.SOP.5130 License and Permits Unit
Applicable To: All License and Permits Unit Employees		Review Due: 2025
Approval Authority: Chief Rodney Bryant		
Signature: Signed by RB		Date Signed: 12/8/2021

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#### 1. PURPOSE

To establish policies and procedures for the daily operations of the License and Permits Unit.

#### 2. POLICY

The Atlanta Police Department shall process all requests for licenses and/or permits in an efficient and effective manner in accordance with the City of Atlanta Code of Ordinances and State Law. The Department seeks to ensure that each licensed and permitted business or individual operates in a manner consistent with these laws and regulations.

#### 3. RESPONSIBILITIES

- 3.1 The Administrative Operations Commander is responsible for the implementation of this written directive.
- 3.2 The License and Permits Unit commander shall ensure that all employees under his or her command are aware and familiar with this written directive.
- 3.3 License and Permits supervisors shall be responsible for the operation of special details and monitor the daily activities of all employees assigned to the unit for compliance with this written directive.
- 3.4 License and Permits employees shall conduct business in a manner consistent with this written directive.



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- 3.5 Investigators, inspectors, and office support staff are responsible for collecting and processing all licenses and permit fees. These fees shall be accepted in the form of a cashier's check or money order only. Receipts shall be issued for payments received.
- 3.6 Office staff working the front counter shall greet all visitors, answer the telephone, give out applications, explain the steps necessary to complete the application process, and forward all appointments for investigators and inspectors to the office assistant for scheduling.
- 4. ACTION
  - 4.1 Case Assignment Management
    - 4.1.1 Investigators shall take appointments for prospective new permits and alcohol licensee's from 9:00 a.m. until 2:00 pm, Monday through Wednesday. On Thursdays and Fridays, Investigators shall conduct follow-up investigations and perform regulatory enforcement duties.
    - 4.1.2 Investigators shall be responsible for effectively and efficiently managing their time to accomplish the various assigned cases and tasks.
    - 4.1.3 Investigators shall make an entry onto the License and Permits Investigators Work Log for each case assigned for investigation or task given for completion and submit a weekly assignment log to the unit supervisor.
    - 4.1.4 Investigators shall meet with the Licensing Sergeant once each week to review and discuss the progress of their assignments.
  - 4.2 Processing Applications for Alcohol Licenses
    - 4.2.1 Investigators, inspectors and office support staff shall gather information from all citizens requesting an alcohol application. The investigators, inspectors and office support staff shall ascertain from the applicant the type of license and location of business in which they would like to apply. The investigators, inspectors, and office support staff will direct applicants to the Energov portal to submit a completed application and submit it through the portal.
    - 4.2.2 Investigators, inspectors and office support staff shall instruct the applicant to complete the applications in full and to obtain the necessary documents and information for the application to be processed. The applications and all necessary documents can be uploaded and sent through the Energov portal. The applicant must provide the following:
      - 1. Personal history card with all questions answered completely and appropriately;
      - 2. An investigator, officer or inspectors shall obtain a full set of prints from applicant during the investigative process;
      - 3. A copy of a binding Article of Incorporation and Minutes or all partnership agreements. Attach a copy of the corporate charter and by-laws, which have been properly signed by the Secretary of State and the Registered Agent(s) for the corporation. Ensure all percentages held and the titles of each officer are listed in the application; and
      - 4. Letters of Clearance:
        - a. Federal Clearance;



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- b. State Clearance;
- c. Certificate of Residence;
- d. Three Letters of Reference by three persons who have known the individual for at least three years;
- e. Two small photographs (2" x 2" in size);
- f. Survey of the proposed premises;
- g. Lease or valid document which shows the applicant has legal access and control to proposed premises-deed, sub-lease, rental agreement, etc.;
- h. Financial Investments. All applicants must furnish at the time of filing; documentation of all financial investments pertaining to the business operation;
- i. Floor plan; and
- j. Menu (If location serves food).

- 4.2.3 Investigators shall interview, in person or through a phone conference, the applicant and review the applications and documentation for accuracy. If all documents are complete, the investigator shall accept the application and give the applicant a receipt for the filing fee. Any incomplete applications shall be returned to the applicant for correction before the investigator accepts any portion of the application or fees associated with the application.
- 4.2.4 After the application has been reviewed and accepted by an investigator as complete, the application shall be tasked to another investigator for a follow-up to the completion of the application.
- 4.2.5 Upon receiving an application, the investigator shall verify the information provided on all documents is correct and complete. The investigator shall run a criminal history check, verify the inspection letters, supply the applicant with public sign notice instructions, sent NPU packet to the City Planning Department, and physically inspect the location. A photograph of each location shall be included in the file. NOTE: In the event that required distances need to be verified, the investigator shall request that the City Zoning Office verify these distances with a survey.
- 4.2.6 After an investigator has completed an application, and received notice of the NPU meeting status, he or she shall review it with a supervisor for a final determination on the applicant's status and place the applicant on the next agenda of the License Review Board.
- 4.3 Preparing for License Review Board (LRB)
  - 4.3.1 Investigators shall prepare a summary of findings on all applications that they investigate. NOTE: Investigators shall not recommend that a location be granted or denied a license -- only state that the location does or does not meet the legal requirements to be granted a license.
  - 4.3.2 An administrative employee shall prepare an agenda containing only completed applications.



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- 4.3.3 The commander or his or her designee presents the agenda to the License Review Board (LRB) every other Tuesday evening at 5:00 p.m.
- 4.3.4 The sergeant shall present the agenda before the LRB in the absence of the unit commander.
- 4.4 Preparation of Applications and Minutes
  - 4.4.1 The office support staff shall take and transcribe the minutes from the License Review Board (LRB). A copy of the minutes shall be forwarded to the Chief of Police, each Deputy Chief, all zone commanders, board members, the Mayor's Office, Business License Office, and Code Enforcement Section Commander.
  - 4.4.2 Investigators shall check each application for the signatures of all sitting License Review Board members for that hearing date.
  - 4.4.3 Investigators shall rotate this task in a predetermined manner.
  - 4.4.4 Investigators shall check the top portion of the last page of each application for a narrative reflecting what the applicant applied for on the front page of the application.
  - 4.4.5 Investigators shall receive the minutes from the office support staff and compare the application with the minutes for wording accuracy. The office support staff shall make corrections where necessary.
  - 4.4.6 Investigators shall ensure that the appropriate approval letters are attached.
  - 4.4.7 Investigators shall complete the list of applications decided by the LRB and take them to the Mayor's Office.
- 4.5 Enforce State Laws and City Ordinances
  - 4.5.1 Investigators, officers and inspectors shall conduct spot checks of all locations with licenses or permits issued by the City of Atlanta.
  - 4.5.2 Investigators, officers, and inspectors shall issue appropriate citations for City ordinance and/or State law violations.
  - 4.5.3 Investigators, officers, and inspectors shall begin Due Cause proceedings when warranted.
- 4.6 Prepare Revocation/Due Cause Package
  - 4.6.1 Investigators, officers, and inspectors may prepare a Due Cause package on all locations found to be in non-compliance with City ordinance and/or State law.
  - 4.6.2 Investigators, officers, and inspectors shall perform a Criminal History check on any location in non-compliance.
  - 4.6.3 Investigators, officers and inspectors shall obtain and review police incident reports for the current license holder in order to identify incidents directly involving the business in question or their employees. Officers and Investigators shall identify all witnesses associated with the incident.



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- 4.6.4 Investigators, officers and inspectors shall prepare a Due Cause letter identifying each location under consideration for revocation or adverse action and each incident that was investigated along with the results of the investigation.
- 4.6.5 Investigators, officers and inspectors shall prepare a witness list of all individuals involved in an incident, to include the arresting or reporting officer.
- 4.6.6 Investigators, officers and inspectors shall forward the Due Cause Package to the unit supervisor and the Law Department for review and comment. Due Cause Package approval signatures are as follows:
1. Unit supervisor;
  2. Unit commander;
  3. Section commander; and
  3. Chief of Police signs the Due Cause letter that is delivered to the agent.
- 4.6.7 Investigators, officers and inspectors shall deliver a Due Cause letter to the affected business five business days prior to the License Review Board (LRB) hearing.
- 4.6.8 Investigators, officers and inspectors shall prepare ten copies of the Due Cause Package for review at the LRB hearing.
- 4.6.9 Investigators, officers and inspectors shall notify all the witnesses on the witness list of the need to attend the LRB hearing when a subpoena is issued from the mayor's office.
- 4.6.10 Investigators, officers and inspectors shall present the case before the LRB.
- 4.7 Processing Complaints
- 4.7.1 Employees shall complete a unit complaint form on all complaints received.
- 4.7.2 The Licensing supervisor shall assign the complaint to an investigator or inspector.
- 4.7.3 Investigators or inspectors shall investigate the merits of the complaint and take appropriate action to resolve the matter.
- 4.7.4 Investigators or inspectors shall prepare a summary of findings on all complaints assigned to them and return the summary to the supervisor.
- 4.8 Processing Alcohol License Renewals
- 4.8.1 The Licensing supervisor shall coordinate with the Revenue Department and Atlanta Information Management (AIM) on the notification of license holders of the annual renewal process through media sources, email, and flyers.
- 4.8.2 The Licensing supervisor shall coordinate with the Revenue Department and AIM on the activation of online accounts and payments.



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4.8.3 The unit shall receive renewal forms from the business license office in the mail or by walk-in, as well as from the Energov portal. The unit supervisor or their designee shall assign the applications for renewal to investigators and inspectors. Employees receiving the renewal forms shall do the following:

1. Go onto the Energov portal and retrieve all files associated with the application for renewal and verify the forms are notarized, the proper status of the license is selected on the renewal form, and payment is included with the renewal forms. An administrative employee shall stamp all mail and walk-in applications for renewal on the date it is received.
2. Enter the renewal as received on the database.
3. Confirm renewal fee and account is current through the Energov portal.
  - a. Enter payment into the Energov portal, obtain a receipt, enter the form of payment (cashier's check or money order number), and the person receiving the renewal.
  - b. Make copy of cashier's check or money order and attach to current renewal.
  - c. Stamp the renewal form as paid.
  - d. Staple the Energov database receipt to the renewal form.
  - e. Produce a computer listing reflecting all renewals processed with a total of the money processed. The total reflected on the printout and Energov receipt should balance.
  - f. Attach the checks to the computer printout and hand-deliver both to the Property Control Unit.
4. Investigators, officers or inspectors shall:
  - a. Locate the license account in the Energov system.
  - b. Scan and upload the renewal form to the file in Energov.
  - c. Compare the information on the renewal form to the information on the original application in the Energov system. If any discrepancies are discovered; the renewal is classified as a 'RED FLAG' file to be investigated by an investigator, officer or inspector. Notify the unit supervisor of the file and "RED FLAG" status for further investigation.
  - d. Complete a criminal history check on the alcohol license location when further information is required.

4.8.4 Processing 'RED FLAG' Files.

1. The licensing supervisor shall assign 'RED FLAG' files to each investigator, officer or inspector in the following manner:
  - a. Receive the 'RED FLAG' files, resulting from discrepancies found between the application and the file.
  - b. Assign the 'RED FLAG' files to the next investigator, officer or inspector.



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- c. Record the investigator, officers or inspectors and corresponding file on the assignment log.
    - d. Provide a copy of the assignment log to the administrative person for entry into the Alcohol License Renewal database.
  2. Investigators, officers or inspectors shall investigate his or her assigned 'RED FLAG' files in the following manner:
    - a. Review the attached problem cover sheet to ascertain the reason for further investigation.
    - b. Contact the owner for problems of ownership and pull police reports for all incidents identified on the CJIS printout.
    - c. Analyze the facts of each issue and make a determination and recommendation as to the approval of the renewal application.
      1. Clear the file for renewal or process a Due Cause Package.
      2. Prepare a written summary of findings.
      3. Forward a copy of the summary of findings to the licensing supervisor and place a copy in the file. Return the file to the licensing supervisor for final disposition as approved or to be held to go before the License Review Board.
- 4.8.5 All Alcohol License Renewal Forms received after December 31st of each year shall be stamped as 'late,' identified as a 'Failure to Renew' and processed in the following manner:
  1. The licensing supervisor shall assign all 'Failure to Renew' locations to an investigator or inspector for follow-up action.
  2. Investigators, officers and inspectors assigned a 'Failure to Renew' location shall contact the owner informing them of their failure to renew status and request that they come into the office to discuss the matter.
  3. All "Failure to Renew" locations shall be taken before the License Review Board with the facts.
- 4.8.6 All renewals turned in late to the License and Permits Unit due to address problems or computer problems shall have an investigator officer, or inspector verify the existence of the problem with the Energov system and the businesses in-ability to log onto the system. The investigator, inspector or officer shall then have the licensee deliver the renewal forms in person to the License and Permits office for processing or Revenue Department at City Hall. All locations coming under these circumstances shall not be penalized as a "Failure to Renew" and shall be processed as if their renewal forms were received before the December 31st deadline.
- 4.9 Administrative Employees
  - 4.9.1 The administrative employee and inspectors' hours of operation are 0800 hours to 1600 hours each day, Monday through Friday.



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- 4.9.2 Only cashier's checks or money orders shall be accepted as payment for permit fees.
- 4.9.3 The administrative employee, inspectors, and office support staff shall accept all payments for applicable fees and issue a receipt to the payee.
- 4.9.4 At the end of each day a "Daily Financial Report" shall be prepared, reflecting all fees collected during that day, in the Energov system. The amount of funds collected is tabulated and listed on the Daily Report.
1. All checks and money orders shall be stamped with the office stamp.
  2. The Fund Summary Report shall be run by entering the request date. The amount should match the Daily Financial Report total for the day. This report shall list the applicant's name, cashier's check number, or money order number given during the time of transaction.
  3. The Memorized Report is run by clicking "End of Day Receipts" and entering requests the date. This reading is attached to the top right corner of the Daily Financial Report.
- 4.9.5 The Administrative employee, inspectors, and office support staff shall prepare the Daily Financial Report and deposit all funds and forms into the License and Permits Unit safe. The unit officer or investigator shall transport the property to the Property Control Unit. A copy of the Daily Financial Report and receipt for the checks and money orders turned into the Property Control Unit shall be returned to the License and Permits Unit for filing.
- 4.10 Issuing Permits
- 4.10.1 Adult Entertainment
1. Applicants, 21 years of age or older, requesting a permit for employment in an establishment offering adult entertainment must present a valid government issued picture I.D. (state I.D., Military I.D., or Passport). Noncitizens shall provide proof of citizenship in another country, Work Visa, Systematic Alien Verification for Entitlements (Save) form, complete an application (Form 32-4), and pay a \$50.00 application fee and a \$20.00 fingerprint fee. All documents must be provided and stapled on the back of the application by the inspectors and office support staff.
  2. A criminal history check shall be performed on all applicants.
    - a. If a hit is received, the investigator shall:
      1. Enter the State Identification Number (SIN) for the arrest into the computer and run a FQ check to receive the records associated with that arrest;
      2. Look for any undisclosed arrest with convictions on the arrest history;
      3. Make a determination for approval or denial of the permit; and
      4. Process approved applications as normal. Denied applicants shall be given an appeal form to appeal to the LRB.





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- b. If no hit is received from the Criminal History check, the applicant shall be processed through the Omnixx Web system and entered into the Energov system. The office support staff shall input the information into the computer and have the applicant sign.
3. The issuance of adult entertainment permits is a one day administrative process as follows:
  - a. Payment of \$200.00 permit fee;
  - b. Take photo of applicant;
  - c. Sign the Digital Signature Pad;
  - d. The permit shall be issued; and
  - e. All permits shall expire one year from the date of issuance.
4. The inspectors and office support staff shall collect the permit fees and give the applicant a receipt.
5. The inspectors and office support staff shall file all adult entertainment applications and fingerprint cards.

#### 4.10.2 Vending

1. The City of Atlanta requires all persons applying for a vendors permit to complete the appropriate vending application (Public Property Vending, Private Property Vending, Flea Market, Vehicle Vending, or Mobile Food Vendors.). All applicants must present a valid government issued picture I.D. (state I.D., Military I.D., or Passport). All noncitizens shall provide proof of citizenship in another country, Work Visa, Systematic Alien Verification for Entitlements (Save) form, complete an application (Form 32-4), pay a \$50.00 application fee and a \$20.00 finger print fee.
2. A criminal history check shall be performed on all applicants.
  - a. If a hit is received, the investigator shall:
    1. Enter the State Identification Number (SIN) for the arrest into the computer and run a FQ check to receive the records associated with that arrest;
    2. Look for any undisclosed arrest with convictions on the arrest history;
    3. Make a determination for approval or denial of the permit; and
    4. Denied applicants shall be given an appeal form to appeal to the LRB.
  - b. If no hit is received from the Criminal History check, the applicant shall be processed through the Omnixx Web System and entered into the Energov system. The office support staff shall input the information into the computer and have the applicant sign the digital signature pad.
3. All applicants shall be fingerprinted on Live Scan.



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4. To issue a vending permit:
  - a. Collect the appropriate vending permit fee;
  - b. Take photo of applicant;
  - c. Sign the Digital Signature Pad; and
  - d. The permit shall be issued. All permits shall expire one year from the date of issuance except for those issued as a part of the Public Property Vending Program, handled by the City of Atlanta Office of Development and Planning, which shall expire February 28<sup>th</sup> of each year.
5. The inspectors and office support staff shall ensure that the fees and business license have been issued by the Department of Revenue and inspect the applicants receipt.
6. Inspectors and office support staff shall file all vending applications and finger print cards.

#### 4.10.3 Processing Applications for Non–Alcohol Applicants

Investigators, inspectors and office support staff shall gather information from citizens requesting a non-alcohol application. The investigator, inspector and office support staff shall ascertain from the applicant the type of license and location of business in which they would like to apply.

#### 4.10.4 Investigators, inspectors and office support staff shall instruct the applicant to complete the applications in full through the Energov portal and upload the necessary documents and information for the application to be processed. The applicant must provide the following:

1. Submitted applications with all questions answered completely and appropriately.
2. Personal history card with all questions answered completely and appropriately.
3. An investigator or inspector shall obtain a full set of prints from applicants during the interview process.
4. Three letters of references.
5. All information as required by the city ordinance must be provided by the applicant.
6. The applicant shall be processed through the Omnixx Web System.
7. When application fee is received the applicant is issued fire, building, health forms and if applicable the applicant shall appear before the License Review Board.
8. An investigator, inspector and office support staff shall collect the permit fees after the approval letter has been signed by the Mayor and a receipt is given to the applicant.
9. Applicants that are exempt from the License Review Board shall sign the Digital Signature Pad, take a picture and the permit shall be issued.



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#### 4.11 Open Records Request

Investigators, officers, inspectors and office support staff assigned a request for open records shall follow APD.SOP.1061 "Open Records".

#### 4.12 Records Management

4.12.1 The Records Clerk shall maintain all files and records pertaining to businesses and individuals regulated by the Department.

4.12.2 License and Permits employees requiring to review a file shall completely fill out a Charge –Out Guide and place it in the space occupied by the file desired.

4.12.3 License and Permits employees shall return the file promptly when the review is complete, initial the card, and place the card and file in their appropriate location.

#### 4.13 Inspectors and Office Support Staff

4.13.1 Inspectors and office support staff shall complete all daily and monthly transaction reports designated by number, type of permit, and the dollar amount collected.

4.13.2 Inspectors and office support staff shall be responsible for ordering and maintaining all the necessary supplies for issuing permits.

4.13.3 Investigators, inspectors, administrative employees and office support staff shall maintain complete files on all alcohol locations, and all other categories licensed and issued a permit by the license and permits unit

4.13.4 All investigators, inspectors, administrative employees, and office support staff shall answer inquiries pertaining to files maintained in the unit's record room; with approval from the commander to release.

4.13.5 All investigators, inspectors, administrative employees, and office support staff shall file information relating to businesses.

4.13.6 All investigators, officers, inspectors and office support staff shall shred recently approved application copies from the License Review Board.

#### 5. DEFINITIONS

5.1 Article of Incorporation: A set of documents filed with a government body for the purpose of legally documenting the creation of a corporation.

5.2 Due Cause Package: This is a letter identifying each location under consideration for revocation or adverse action and each incident that was investigated along with the results of the investigation.

5.3 Failure to Renew: Negligence to renew a contract as required to maintain permit privileges.

5.4 Live Scan: An inkless system for electronically recording fingerprints.



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5.5 Red Flags: A warning signal; something that demands attention, or provokes an irritated reaction.

#### 6. CANCELLATIONS

APD.SOP.5130 "License and Permits Unit," September 15, 2017.

#### 7. REFERENCES

APD.SOP.1061 "Open Records"

#### 8. SIGNIFICANT CHANGES

Extensive revisions were made throughout the policy.