

CITY COUNCIL MEETING

March 24, 2008

Old Business

B. Pepper's 4, Inc. D/B/A Peppers Mexican Grill: *New Alcohol License*

PURPOSE:

Pepper's 4, Inc. requests approval of a 2008 Alcohol License for sale of beer, wine and spirituous liquor, on-premise consumption with food.

HISTORY:

At the last meeting, City Council approved advertising for a public hearing on March 24th at 5:45 p.m. in the Council Chamber at City Hall. The hearing was duly advertised in the newspaper and held prior to this evening's Council meeting. Staff recommends approval of the new alcohol license contingent upon final inspection of the building by the Building Department and Fire Marshal.

CITY MANAGER'S RECOMMENDATION:

Recommend approval.

License # 6949

City of St. Marys, Georgia
2008

APPLICATION FOR ALCOHOL BEVERAGE LICENSE

TYPE OF LICENSE

		<u>ON-PREMISE</u>		<u>OFF-PREMISE</u>	
BEER & WINE	\$ 1,100.00	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food
SPIRITUOUS LIQUOR	\$ 1,650.00	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food
BEER/WINE/LIQUOR	\$ 2,750.00	<input checked="" type="checkbox"/> With Food	<input type="checkbox"/> Without Food	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food
PRIVATE CLUBS	\$ 550.00	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food	<input type="checkbox"/> With Food	<input type="checkbox"/> Without Food

Before the undersigned attesting officer, duly authorized by law to administer oaths, personally appeared the undersigned applicant for a license or permit for the sale of alcoholic beverages in the City of St. Marys, Georgia, and, being first duly sworn, on oath, states that the information given, statements made, and questions answered in this application are true and correct:

1. State the official name under which the business or establishment to be licensed will be conducted:
Pepper's 4 Inc.
2. If natural person(s), state the name(s), Social Security number(s), telephone number(s), mailing address (es), and birth date(s) of all applicant(s) and/or owner(s) of business licensed:
Juan C Angel
129 City Smithy Dr
St Marys GA 31558
3. If applicant is a partnership of any kind, state the names, Social Security numbers, telephone numbers and mailing addresses of all members of the partnership:
N/A
4. Attached a copy of partnership Agreement or Articles of Partnership to this Application.
5. If Applicant is a corporation, state the following:
 - (a) Shareholders' names, Social Security numbers, telephone numbers, and addresses:
Juan C Angel 100%
2021 Summerfield Chase
Dalton GA 30720
 - (b) Officers' names, Social Security numbers, telephone numbers, and addresses:
President: Juan C Angel
2021 Summerfield Chase
Dalton GA 30720

Vice President:

N/A

Secretary:

N/A

Treasurer:

N/A

(c) Members of Board of Directors names, Social Security numbers, telephone numbers and addresses:

Board Member:

N/A

Board Member:

N/A

Board Member:

N/A

Board Member:

N/A

6. If applicant is a corporation, attach a copy of the Articles of Incorporation and Certificate of Incorporation.
7. State the name(s), Social Security number(s), telephone number(s), and mailing address (es) of any persons or entities, other than those named above, who have any financial interest or beneficial ownership interest in the establishment or business to be licensed:

N/A

8. State the name(s), Social Security number(s), and mailing address (es) and birth date(s) of each person who manage the establishment or business licensed:

Miguel Lopez

1 Pelican Point Dr Apt D2
St Mary's GA 31558

9. State whether or not the above-named manager(s) has ever been convicted of a crime or has ever been the subject of an alcoholic beverage license suspension or revocation by the State of Georgia or any other city or jurisdiction:
N/A
10. If the response to the preceding was in the affirmative, state the date, nature, and name of said revoking or suspending body or agency:
N/A
11. State whether or not the applicant and/or any of the officials, entities, or persons named above have ever been convicted of violating any ordinance, regulation, or law of any jurisdiction with regard to the sale or distribution of alcoholic beverages:
N/A
12. If your response to the preceding was in the affirmative, give a detailed description of such violation, including the name of the jurisdiction where the violation occurred:
N/A
13. State whether or not the applicant and/or any of the officials, entities or persons named above have ever been the subject of a suspension or revocation proceeding which regard to any alcoholic beverage license or permit:
N/A
14. If the answer to the preceding was in the affirmative, state a detailed description of such adverse administrative action and the name of the jurisdiction wherein such action occurred:
N/A
15. State whether or not any of the individuals or entities identified above have been convicted of any crime and, if so, state a detailed description which includes the nature of the offense, date of conviction, and name of the jurisdiction:
N/A
16. If applicant or any of the individuals or entities named above holds an alcohol beverage license from any other jurisdiction or from the State of Georgia, state the name of each such jurisdiction and of the licensed location for any State license or attach a copy of each such license to this application:
17. State the physical address of the location licensed:
129 City Smitty Dr
St. Marys GA 31558

18. If the location for which the license is sought has been or is now licensed, state the name of the business or establishment and the name of the license:

N/A

19. State the nature of the business conducted at or upon the location licensed (i.e., restaurant, convenience store, lounge or bar, pool hall, etc.):

Full service Restaurant

The undersigned hereby stipulates and states that all statements given in this application are true and correct and made for the purpose of inducing aforesaid City to issue or renew said alcoholic beverage license(s). Applicant further states this document is sworn to and subscribed hereto with the full knowledge that any statement herein, given falsely shall constitute perjury and may result in the revocation of the license granted or the refusal to grant such license. The applicant agrees to comply and abide by the City's Alcoholic Beverage Ordinance.

Applicant further acknowledges that application must be fully completed at the time of filing and that applications may not be supplemented, amended, or revised after filing with the Clerk, except to correct misspelling or names.

APPLICANT HEREBY AGREES AND CONSENTS PURSUANT TO PUBLIC LAW 93-579 OF THE PRIVACY ACT OF 1974, THE DISCLOSURE OF INFORMATION OBTAINED IN THIS APPLICATION MAY BE SUBMITTED TO ANY AGENCY OF THE CITY, COUNTY, STATE, AND FEDERAL GOVERNMENT FOR THE PURPOSES OF OBTAINING THE NECESSARY INFORMATION TO PROCESS THE APPLICATION.

Sworn to and subscribed to this 18th day of March, 2008

[Signature]

APPLICANT(s)

[Signature]

WITNESS

[Signature]

NOTARY PUBLIC
[SEAL]

Notary Public, Camden County, Georgia
My Commission Expires Sept. 26, 2011

City of St. Marys, Georgia

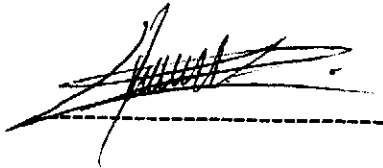
Date application and check received City: _____ City Clerk: _____

March 18, 2008

City of st. Marys
418 Osborne street
St. Marys, GA 31558

I, Miguel Lopez am a local resident at 1 pelican point drive apt. #D2
St Mary's GA 31558 do hereby give my consent to be the local
representative and contact person for pepper's Mexican grill and cantina
I can be reached at the information above.

Thank you!,

A handwritten signature in black ink, appearing to read 'Miguel Lopez', is written over a horizontal dashed line.

Miguel Lopez .

This license must be posted in a conspicuous place and available for immediate inspection at any time the location is open.

If the ownership of your business changes, you must call (404) 417-4490.

If any of your mailing addresses change, please call (404) 417-4490, so that we may correct them.

To obtain further information, forms, required signs or to view applicable laws and regulations, visit <http://www.dor.ga.gov> or you may call an agent at the office closest to your business.

Albany	(229) 430-4404
Athens	(706) 542-6058
Augusta	(706) 651-7600
Columbus	(706) 649-7451
Douglas	(912) 389-4423
Lithia Springs	(770) 732-5812

Macon	(478) 751-605
North Atlanta Metro	(404) 417-660
Rome	(706) 295-606
Savannah	(912) 356-214
South Atlanta Metro	(404) 968-040

(Cut here before displaying)

ATTN-1 2008

STATE OF GEORGIA - DEPARTMENT OF REVENUE
License to Sell Alcoholic Beverages
 As set forth and defined in Title 3
 Georgia Alcoholic Beverage Code and Regulations Pertaining Thereto

Not Valid Without Current Local License - Non Transferable

LICENSE EXPIRES 12/31/2008

BOND EXPIRES N/A

STATE TAXPAYER IDENTIFIER 20018196015	LICENSE NUMBER 0006557	DATE ISSUED 12-14-2007	LICENSE FEE \$200.00	LOCAL LICENSE ISSUED BY CITY OF DALTON
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THIS LICENSE AUTHORIZES THE BELOW LICENSEE TO SELL BEER - CONSUMPTION AT THE FOLLOWING LOCATION 1205 W WALNUT AVE	WINE - CONSUMPTION DALTON	LIQUOR - CONSUMPTION GA 30720-3958	WHITFIELD COUNTY
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LAS GARCIAS INC
 GARCIAS RESTAURANTE MEXICANO
 1205 W WALNUT AVE
 DALTON GA 307203958

GEORGIA SALES TAX NUMBER
303-05-44603-5

Failure to pay any tax accruing under said Act to the Department of Revenue, or violation of any provisions of said Act or any valid rule and regulation made pursuant thereto, shall be grounds for cancellation of this license by the Commissioner of Revenue.

[Signature]
COMMISSIONER, Georgia Dept. of Revenue

THIS LICENSE MUST BE DISPLAYED CONSPICUOUSLY AT LOCATION SHOWN HEREON

STATE OF GEORGIA

Secretary of State

Corporations Division

315 West Tower

#2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

CERTIFICATE OF INCORPORATION

I, **Karen C Handel**, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

PEPPERS 4, INC.

a Domestic Profit Corporation

has been duly incorporated under the laws of the State of Georgia on **12/06/2007** by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on December 6, 2007



A handwritten signature in cursive script that reads "Karen C Handel".

Karen C Handel
Secretary of State

ARTICLES OF INCORPORATION
OF
PEPPERS 4, INC.

ARTICLE I

The name of the corporation is: Peppers 4, Inc.

ARTICLE II

The corporation is authorized to issue 100 shares of common stock with no par value. Said common shares shall collectively have unlimited voting rights and the right to receive net assets of the corporation upon dissolution.

ARTICLE III

The Board of Directors is authorized and empowered to make, alter, amend and rescind the By-Laws of the corporation, but By-Laws made by the Board may be altered or repealed, and new By-Laws made, by the stockholders.

ARTICLE IV

The street address, county, and zip code of the corporation's initial registered office is:

2021 Summerfield Chase
Dalton, Georgia 30720

ARTICLE V

The name of the corporation's initial registered agent located at the corporation's initial registered office is:

Juan Carlos Angel



ARTICLE VI

The name, address, and zip code of the incorporator is:

Juan Carlos Angel
129 City Smitty Dr.
St. Mary's, Georgia 31558

2007 DEC -6 PM 12:36
SECRETARY OF STATE
CORPORATIONS DIVISION

ARTICLE VII

The street address and zip code of the principal office of the corporation is:

129 City Smitty Dr.
St. Mary's, Georgia 31558

ARTICLE VIII

The corporation is a for profit corporation.

ARTICLE IX

The purpose of the corporation shall be to engage in the business of operating a restaurant or restaurants, and to engage in the activities in which any other corporation may lawfully engage.

ARTICLE X

The directors of the corporation shall not be liable to the corporation or to its shareholders for monetary damages for breach of their fiduciary duty as directors except as otherwise provided under the provisions of the laws of the state of Georgia.

Dated: 12-06-07



Juan Carlos Angel, Incorporator



KAREN HANDEL
Secretary of State

OFFICE OF SECRETARY OF STATE
CORPORATIONS DIVISION

315 West Tower, #2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334-1530
(404) 656-2817

Registered agent, officer, entity status information via the Internet
<http://www.georgiacorporations.org>

TRANSMITTAL INFORMATION
GEORGIA PROFIT OR NONPROFIT CORPORATIONS

IMPORTANT

Remember to include your e-mail address when completing this transmittal form.

Providing your e-mail address allows us to notify you via e-mail when we receive your filing and when we take action on your filing. Please enter your e-mail address on the line below. Thank you.

E-Mail: _____

NOTICE TO APPLICANT: PRINT PLAINLY OR TYPE REMAINDER OF THIS FORM

1.

Corporate Name Reservation Number (if one has been obtained; if articles are being filed without prior reservation, leave this line blank)

Peppers 4, Inc

Corporate Name (List exactly as it appears in articles)

2.

Juan C Angel

Name of person filing articles (certificate will be mailed to this person, at address below)

(615) 714-5518

Telephone Number

129 City Smitty Dr

Address

St Mary's GA

City

State

31558

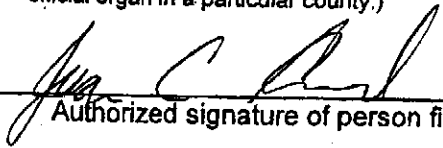
Zip Code

3.

Mail or deliver the following items to the Secretary of State, at the above address:

- 1) This transmittal form
- 2) Original and one copy of the Articles of Incorporation
- 3) Filing fee of \$100.00 payable to Secretary of State. Filing fees are NON-refundable.

I certify that a Notice of Incorporation or Notice of Intent to Incorporate with a publication fee of \$40.00 has been or will be mailed or delivered to the official organ of the county where the initial registered office of the corporation is to be located. (List of legal organs is posted at web site; or, the Clerk of Superior Court can advise you of the official organ in a particular county.)


Authorized signature of person filing documents

12-06-07

Date

Request certificates and obtain entity information via the Internet: <http://www.georgiacorporations.org>

