

ORDINANCE NO. 2019-ORD-2

AN ORDINANCE OF THE CITY OF SOCIAL CIRCLE TO PERMIT A BEER AND WINE BY THE DRINK IN THE DOWNTOWN DISTRICT ESTABLISHED BY THE MAP ATTACHED HERETO AS EXHIBIT “A” UNDER AN AMENITY LICENSE PROVIDED THE APPLICANT SATISFIES THE CONDITIONS FOR APPROVAL SET FORTH HEREIN.

WHEREAS, the Mayor and City Council constitutes the duly elected governing authority of the City of Social Circle, Georgia; and

WHEREAS, the Mayor and City Council desire to amend Chapter 10 of the Code of Ordinances of the City Social Circle, Georgia, governing alcohol to allow licensed retail establishment that do not sell food as a primary part of their business to serve and sell beer wine by the drink provided the retail establishment strictly follows the guidelines of this amendment and provided the retail business is in the downtown overlay district shown on Exhibit “A” attached hereto and incorporated herein;

WHEREAS, the Mayor and City Council of Social Circle desire to create a new ordinance as an amenity to encourage new businesses and support established businesses in the city’s downtown business district and to provide the specifications and requirements for obtaining a beer and wine license which shall be referred to as a “**Downtown District Beer and Wine Amenity License**”, and

WHEREAS, the amendments contained herein are made pursuant to the authority granted under the laws of the State of Georgia and the Charter of the City of Social Circle for the convenience and general welfare of the City of Social Circle and its residents.

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SOCIAL CIRCLE, GEORGIA, and by the authority as follows:

SECTION 1. The Code of Ordinances of the City of Social Circle, Georgia is hereby amended by adding a new section to Article 10 entitled: “**Downtown District Beer and Wine Amenity License**”, and the Code is amended to add the following:

Downtown Beer and Wine Amenity License

A non-eating establishment may offer for sale by the drink beer or wine as an act of hospitality and shall be eligible to apply for a downtown beer and wine amenity permit provided the following conditions are met:

- 1) Establishments must comply with all the application procedures set forth for an alcohol license as set forth in Article II: Regulations for the sale, Tax and Control of Malt Beverages and Wine of Chapter 10 of the City of Social Circle Code of Ordinances to obtain their a Downtown Beer and Wine Amenity License.
- 2) Serving Beer and Wine must be an ancillary purpose to the applicant’s business and the beer and wine must be provided as an act of hospitality. Ancillary means that the sale of alcohol cannot constitute more than five percent (5%) of their monthly revenue for their business.
- 3) No purchase of any good or service may be required to receive as a condition of serving beer or wine by the drink.
- 4) Licensed establishments are restricted to serving beer and wine by the drink to no more than three (3) days per calendar month and must maintain a record of the days upon which beer/wine is provided in their downtown business. This record must be made available to the employees of the City of Social Circle responsible for alcohol licensing for inspection and Police Department upon request.

- 5) Licensed establishments must limit the service of beer and wine by the drink to no more than one (1) six ounce (6 oz) serving of wine or one (1) twelve ounce (12 oz) serving of beer to an individual within a 24-hour period.
- 6) All applicable restrictions on the sale of alcohol contained in Chapter 10 of the Code of Ordinances including the restriction that no one under the age of twenty-one (21) years of age may be served shall apply to a Downtown Beer and Wine Amenity License.
- 7) Licensed establishments shall serve complimentary hors d'oeuvres while offering beer/wine for sale by the drink under this section of this ordinance.
- 8) Licensed establishments are required to have a current business license from the City and shall pay an annual beer/wine amenity license fee of fifty dollars (\$50) in order to receive a Downtown Beer and Wine Amenity License.
- 9) Licensed establishments shall not sell beer or wine by the drink under this license later than 10:00 pm.

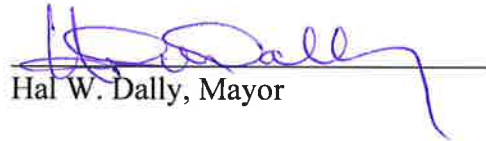
SECTION 2. Except as provided otherwise herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. Pursuant to the Section 2.25 of the City Charter, authority is hereby delegated to the City Clerk to cause this Ordinance to be numbered and codified in the City Code of Social Circle, Georgia, in such a way as to place this Ordinance in the Code in an organized and orderly sequence to maximize the organization of the Code. The City Clerk is authorized to designate to the City Attorney or to such other Mayor and Council approved contractors to assist in the effort to codify this provision provided the decision of the City Clerk is final as to the placement of this Ordinance within the City Code of Social Circle, Georgia. The goal of this authorization is to codify and number this Ordinance in the Code in such a way as to be clear and orderly.

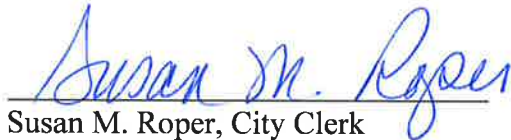
SECTION 4. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Social Circle, Georgia.

SECTION 5. It is hereby declared that if any phrase, sentence, or paragraph hereof shall be found or declared unconstitutional or invalid by a court of competent jurisdiction, the remaining phrases, sentences and paragraphs hereof shall remain in full force and effect as if enacted without the phrase, sentence, or paragraph declared unconstitutional or invalid.


SO, ORDAINED this 21st day of May 2019.


Hal W. Dally, Mayor

ATTEST:


Susan M. Roper, City Clerk

APPROVED AS TO FORM:


Anthony O. L. Powell, City Attorney
Powell & Edwards P.C.

Adopted by the City Council at a regular meeting on May 21, 2019.

4 Council members voting in favor

0 Council members voting against

0 Council members abstaining

Exhibit "A"

