

ORDINANCE NO. 2019-ORD-3

AN ORDINANCE OF THE CITY OF SOCIAL CIRCLE TO PERMIT THE OUTSIDE CONSUMPTION OF ALCOHOL UNDER LIMITED CIRCUMSTANCES IN THE DOWNTOWN ENTERTAINMENT DISTRICT OF THE CITY OF SOCIAL CIRCLE AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED 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 establish a special Downtown Entertainment District for the outdoor consumption of alcoholic beverages served by the drink by licensed establishments operating in the Downtown Entertainment District so that patrons of businesses in the Downtown Entertainment District may walk freely outdoors and from business to business within the area of the Downtown Entertainment District with an alcoholic beverage purchased from an establishment in the District to shop or otherwise enjoy the events in the City's Downtown;

WHEREAS, the Mayor and City Council are hereby establishing the Downtown Entertainment District to be the area 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 Entertainment District, 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.

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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 the city of Social Circle, Georgia is hereby amended by adding “ Social Circle Downtown Entertainment District”, as follows:

Social Circle Downtown Entertainment District

The provisions of this section are intended to set forth certain exceptions to the outdoor possession and consumption of alcoholic beverages in the area herein referred to as the “Downtown Entertainment District” and to benefit businesses that hold licenses to sell alcoholic beverages for consumption on the premises which are located in the Downtown Entertainment District. Except as specifically set forth in this section to the contrary, all such licensees remain subject to all other provisions of the of the Social Circle Code of Ordinances.

1.

The term “Downtown Entertainment District” is defined as the area of public space, streets, sidewalks, open areas, and all parcels and tracts of real property in the area of the city shown on Exhibit “A” attached hereto and incorporated herein.

2.

Outside consumption of alcoholic beverages shall be permitted within the Downtown Entertainment District under the following conditions:

- A. Any licensee who desires to sell alcoholic beverages for outside consumption within the Downtown Entertainment District must possess a validly issued and current alcoholic beverage licenses for on premises consumption in good standing with the City of Social Circle and the State of Georgia.
- B. Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense alcoholic beverages in a clear plastic cup bearing a special City of Social Circle sticker allowing the consumption of the alcohol outside of the premises (“Specialty Stickers”). Dispensing beer and/or wine in a can, bottle, or glass container for consumption outside in the designated area(s) is prohibited.
- C. Specialty Stickers shall be available for purchase from the City of Social Circle at City Hall during regular business hours only by licensed Downtown Business that qualify for to sell in the Downtown Entertainment District. Special Stickers are not transferrable and shall not be distributed or sold by the licensed establishments except in compliance with this ordinance. Violation of this provision is grounds for revocation of the alcohol license of the establishment.
- D. At the time of sale of an alcoholic beverage eligible for the benefits of this provision, the licensed establishment shall affix a Specialty Sticker to an approved cup and fill the establishment’s name where the drink was purchased, the server initials, and the date of purchase.
- E. Alcoholic Beverages served under this exception must be serve in a “Specialty Cup”. A Specialty Cup shall be clear, plastic variety not exceeding a 16-ounce size which is disposable and shall be disposed of after one serving.

- F. Specialty Cups can only be sold by participating licensed establishments between the hours of 5:30 pm and the establishment's close of business day. No alcoholic beverages shall be sold and/or consumed outside and within the Downtown Entertainment District except within the authorized hours of sale of the licensed establishment.
- G. No alcohol purchased outside of the Downtown Entertainment District is allowed to be consumed under this ordinance. Drinks must be purchased from the participating establishments that are permitted to serve alcohol by the drink in the Downtown Entertainment District.
- H. Consumption of alcohol by the drink in the Downtown Entertainment District is not allowed inside a truck, car or on a motorcycle, scooter, golf cart or any other type of motorized vehicle.
- I. Establishments within the Downtown Entertainment District are not required to allow Specialty Cups on their premises and may ban patrons from entering their establishment by posting a sign indicating their wishes. The exceptions of this ordinance shall not apply inside any premises that are clearly marked that the owner is not participating.
- J. Nothing in this section shall relieve applicants from complying with all other provisions of this chapter and state law.

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.

- _____ Council members voting in favor
- _____ Council members voting against
- _____ Council members abstaining

Exhibit "A"

