

STATE OF GEORGIA

CITY OF SOCIAL CIRCLE

ORDINANCE NO. 2020-ORD-10

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SOCIAL CIRCLE, GEORGIA, CHAPTER 10 ALCOHOLIC BEVERAGES; TO PROVIDE FOR HOME DELIVERY OF ALCOHOL BY AN AUTHORIZED PACKAGE RETAILER WHICH ALSO SELL ALCOHOL FOR CONSUMPTION ON THE PREMISES; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

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

WHEREAS, the Code of Ordinances, City of Social Circle, provides for rules and procedures governing the sale of alcoholic beverages; and

WHEREAS, the Georgia General Assembly passed and the Governor signed HB 879 to allow home delivery of alcohol;

WHEREAS, Mayor and Council desire to allow all alcohol license holders within the City limits to be allowed to deliver unopened beer and wine within the City limits;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SOCIAL CIRCLE, GEORGIA AS FOLLOWS:

Section 1. That Section 10-93, Chapter 10 of the City Code is hereby be created and added to the Code with the following:

“10-93. – Delivery of Alcohol.

In addition to any authorizations provided by state law in O.C.G.A. § 3-3-10, all retail and pouring alcohol license holders in the City can provide for the home delivery of beer and wine in unbroken packages under an existing license with a letter of intent to provide the service to the municipality submitted with their annual renewal.”

Section 2. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Social Circle.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or

unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

SO ORDAINED this 20th day of October 2020.




David Keener, Mayor

ATTEST:



Susan M. Roper, City Clerk

APPROVED AS TO FORM:



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