

STATE OF GEORGIA

CITY OF SOCIAL CIRCLE

ORDINANCE NO. ORD-2021-11

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SOCIAL CIRCLE, GEORGIA, CHAPTER 10 ALCOHOLIC BEVERAGES; TO AMEND PROVISIONS REGARDING DOWNTOWN AMENITY LICENSES; 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, Mayor and Council desire to amend the downtown beer and wine amenity license ordinance;

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

Section 1. That Section 10-92, Chapter 10 of the City Code is hereby deleted in its entirety and replaced with the following:

“Sec. 10-92. - Downtown beer and wine amenity license.

A non-eating establishment may offer 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 submit an application for a downtown beer and wine amenity permit to the city clerk.

(2) Establishments must obtain the appropriate state licensing for the sale of beer and wine.

(3) 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 of their monthly revenue for their business.

(4) Licensed establishments must limit the service of beer and wine by the drink to no more than one six-ounce serving of wine or one 12-ounce serving of beer to an individual within a 24-hour period.

(5) Licensed establishments shall not serve any alcohol to any individual under the age of 21 years of age.

(6) Licensed establishments are required to have a current business license from the city and shall pay an annual beer/wine amenity license fee of \$150.00 in order to receive a downtown beer and wine amenity license.

(7) Licensed establishments shall not serve beer or wine by the drink under this license later than 10:00 p.m.”

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 All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

SO ORDAINED this 19th day of October 2021.


David L. Keener, Mayor

ATTEST:


Susan M. Roper, City Clerk

APPROVED AS TO FORM:


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

Adopted by the City Council at a regular called meeting on October 19, 2021.

4 Council members voting in favor

0 Council members voting against

0 Council members abstaining