

CITY COUNCIL
ATLANTA, GEORGIA

A SUBSTITUTE ORDINANCE

Ordinance No. 01-O-1648

**BY COUNCILMEMBER DEBI STARNES, CLETLA
WINSLOW, VERN MCCARTHY, FELICIA MOORE,
LEE MORRIS, MICHAEL J. BOND AND JULIA EMMONS**

AN ORDINANCE TO ADD A NEW SECTION 10-74 TO CHAPTER 10, ARTICLE II, DIVISION 2, TO THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA, SO AS TO PROHIBIT THE SALE OF LESS THAN A TOTAL AMOUNT OF 14 OUNCES OF ANY MALT BEVERAGE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages for the public health, safety and welfare; and

WHEREAS, the City of Atlanta is concerned that violations of its Code are being furthered by the sale of small amounts of malt beverages by the package; and

WHEREAS, the City of Atlanta is concerned that persons licensed to sell malt beverages by the package are breaking apart the containers of malt beverages and selling the units individually, thereby encouraging violations of the City's Code of Ordinances, which include, but are not limited to violations of Sections 10-7, 10-8, and 106-85 of the Code of Ordinances, City of Atlanta, Georgia.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1.

That the Code of Ordinances be amended to add a new Section 10-74 to Chapter 10, Article II, Division 2, which shall apply to all new licenses issued pursuant to Chapter 10 by the City after the enactment of this Ordinance, as well as to all licenses that are renewed for the calendar year 2002 and subsequent years pursuant to Chapter 10, and which shall state:

Section 10-74. Size limitations on the sales of malt beverages by the package.

- (a) It shall be unlawful for a licensee under this Chapter to sell on the licensed premises less than 14 ounces of malt beverage within a single transaction, unless they have a malt beverage license for consumption on the premises, or unless such sale is in conjunction with the package sale of additional malt beverage alcohol totaling not less than 14 ounces.
- (b) A violation of this Section shall be considered due cause to deny, suspend, revoke, or refuse to renew any license issued by the City pursuant to this Chapter.

Section 2.

If it shall be found that any prior ordinance or parts of any prior ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

NOV 05, 2001
NOV 13, 2001

RCS# 3227
11/05/01
4:37 PM

Atlanta City Council

Regular Session

01-O-1648

Prohibit Sale of Less than a Total
Amount of 14 oz. of any Malt Beverage
ADOPT/SUB/AMEND

YEAS: 11
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y McCarty	N Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	N Martin	NV Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

01-O-1648

01-0-1648

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCIL MEMBER DEBI STARNES TO ADD A NEW SECTION 10-73 TO CHAPTER 10, ARTICLE II, DIVISION 2, TO THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA, SO AS TO PROHIBIT THE SALE OF LESS THAN 14 OUNCES OF ANY MALT BEVERAGE BY THE PACKAGE; AND FOR OTHER PURPOSES.

Clota Funder
Michael
Debi Starnes

APPROVED BY:

DEBI STARNES

ADOPTED BY
NOV 05 2001
COUNCIL

Substitute

As Amended

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 10/11/01

Referred To: *Public Safety*

Date Referred

Referred To:

Date Referred

Referred To:

Committee *Public Safety*
Date *10/15/01*
Chair
Referred to

Committee *Public Safety*
Date *10/15/01*
Chair *Debi Starnes*

Action: *Hold* (see rev. side)
Other:

Members
Debi Starnes
Clota Funder

Refer To

Committee *Public Safety*
Date *10/30/01*
Chair *C.F. Funder*

Action: *Hold* (see rev. side)
Other:

Members
Debi Starnes
Clota Funder

Refer To

Committee *Public Safety*
Date
Chair
Referred to

Committee
Date
Chair

Action: (see rev. side)
Other:

Members

Refer To

Committee
Date
Chair

Action: (see rev. side)
Other:

Members

Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
NOV 5 2001
ATLANTA CITY COUNCIL SECRETARY
Barbara J. Funder

CERTIFIED
NOV 05 2001

Barbara J. Funder
MUNICIPAL CLERK

MAYOR'S ACTION

NOV 13 2001
Ray G. Clark