

**AN ORDINANCE
AS AMENDED BY
PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE**

02-O-0085

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-66, TO REQUIRE THE MAYOR TO GRANT OR DENY ANY ALCOHOLIC BEVERAGE LICENSE APPLICATION WITHIN NINETY (90) CALENDAR DAYS OF RECEIPT FROM THE LICENSE REVIEW BOARD; AND TO GIVE THE MAYOR THE ABILITY TO REMAND AN ALCOHOLIC BEVERAGE LICENSE APPLICATION TO THE LICENSE REVIEW BOARD FOR FURTHER HEARING; AND FOR OTHER PURPOSES.

WHEREAS, Chapter 10, of the Code of Ordinances City of Atlanta, Georgia requires an applicant for an alcoholic beverage license to adhere to a strict and fully defined process for an alcoholic beverage license; and

WHEREAS, it is within the best interest of the city to consider applications pertaining to alcohol permitting and licensing within a reasonable time period.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby ordains as follows:

Section 1: That Chapter 10, Article II, Division 2, Section 10-66 of the Code of Ordinances of the City of Atlanta is hereby amended by deleting and moving the current language of existing subsection (b) to a new subsection to be created as subsection (c), and to insert in lieu thereof the following language so that subsection (b) reads as follows:

(b) The mayor shall deny, grant, or remand to the license review board, any alcoholic beverage license application within ninety (90) calendar days of receipt of a recommendation from the license review board. Upon review of the license review board's recommendation and/or the record created during the license review board hearing, if the mayor determines there exists the need to correct a clear error or prevent a manifest injustice, the mayor may remand the application back to the license review board for further hearing. In remanding the application back to the license review board, the mayor shall provide written instructions to the license review board and the license and permit unit of the Atlanta Police Department identifying specific issues and/or matters the mayor requires the license review board

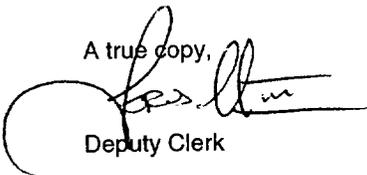


to conduct further hearing upon. An alcoholic beverage license applicant shall be provided with a five (5) day written notice stating the specific issues and/or matters to be addressed on remand, along with the place, date and time of the remand hearing. All applications remanded to the license review board shall be scheduled for further hearing before the license review board no later than thirty (30) days after the date of remand. If the mayor does not make a decision to grant or deny an application within the ninety (90) calendar days provided, and does not choose to remand the application to the License Review Board, the application shall be approved or denied wherein the recommendation of the License Review Board shall become the final decision of the mayor.

Section 2: that Chapter 10, Article II, Division 2, Section 2, Section 10-66 of the Code or Ordinances of the City of Atlanta is hereby amended by creating a new subsection (c) containing the current language of pre-existing subsection (b).

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby Repealed.

A true copy,



Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

JAN 22, 2002
JAN 29, 2002

RCS# 3405
1/22/02
1:28 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 through 9

**SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA**

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT

01/22/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0085
2. 02-R-0003
3. 02-R-0007
4. 02-R-0008
5. 02-R-0009
6. 02-R-0036
7. 02-R-0038
8. 02-R-0010
9. 02-R-0031
10. 02-R-0032
11. 02-R-0033
12. 02-R-0034
13. 02-R-0094
14. 02-R-0095
15. 02-R-0096
16. 02-R-0097

**ITEMS ADVERSED ON
CONSENT AGENDA**

17. 02-R-0011
 18. 02-R-0012
 19. 02-R-0013
 20. 02-R-0014
 21. 02-R-0015
 22. 02-R-0016
 23. 02-R-0017
 24. 02-R-0018
 25. 02-R-0019
 26. 02-R-0020
 27. 02-R-0021
 28. 02-R-0022
 29. 02-R-0023
 30. 02-R-0024
 31. 02-R-0025
 32. 02-R-0026
 33. 02-R-0027
 34. 02-R-0028
 35. 02-R-0029
 36. 02-R-0030
 37. 02-R-0098
 38. 02-R-0099
 39. 02-R-0100
 40. 02-R-0101
 41. 02-R-0102
 42. 02-R-0103
-

02-0-0085

(Do Not Write Above This Line)

AN ORDINANCE

BY COUNCILMEMBER CLAIR MULLER

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 10, ARTICLE 11, DIVISION 2, SECTION 10-66, TO REQUIRE THE MAYOR TO GRANT OR DENY ANY ALCOHOLIC BEVERAGE LICENSE APPLICATION WITHIN NINETY (90) CALENDAR DAYS OF RECEIPT FROM THE LICENSE REVIEW BOARD; AND TO GIVE THE MAYOR THE ABILITY TO REMAND AN ALCOHOLIC BEVERAGE LICENSE APPLICATION TO THE LICENSE REVIEW BOARD FOR FURTHER HEARING; AND FOR OTHER PURPOSES.

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

Date Referred 1/7/02

Referred To: Public Safety & Legal Affairs

Date Referred

Referred To:

Date Referred

Referred To:

Committee: Public Safety
Date: 1/15/02
Chair: C. Muller
Referred to:

Committee: Public Safety
Date: 1/15/02
Chair: C. Muller

Action: Fav, Adv, Hold (see rev. side)
Other: Fav 6-5 Amended
Members: [Signatures]

Refer To

Committee: [Blank]
Date: [Blank]
Chair: [Blank]

Action: Fav, Adv, Hold (see rev. side)
Other: [Blank]
Members: [Signatures]

Refer To

Committee: [Blank]
Date: [Blank]
Chair: [Blank]

Action: Fav, Adv, Hold (see rev. side)
Other: [Blank]
Members: [Blank]

Refer To

Committee: [Blank]
Date: [Blank]
Chair: [Blank]

Action: Fav, Adv, Hold (see rev. side)
Other: [Blank]
Members: [Blank]

Refer To

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

CERTIFIED

CERTIFIED
JAN 2 2 2002
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JAN 2 2 2002
[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
JAN 29 2002
[Signature]
MAYOR