



A SUBSTITUTE ORDINANCE BY

02-O-1139

COUNCILMEMBER DEBI STARNES

**AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-92(b) OF THE CITY OF ATANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENT BETWEEN PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY THE PACKAGE FOR THE SWEET AUBURN CURB MARKET AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in protecting the public safety and general welfare and does so through the regulation of the sale of alcohol; and

**WHEREAS**, the City of Atlanta has promulgated legislation which specifically provides that there must be at least 1500 feet between two stores licensed to sell alcohol by the package; and

**WHEREAS**, certain areas of the City of Atlanta are being revitalized and opportunities to develop businesses that cater to the convenience of neighborhood residents therein have been created; and

**WHEREAS**, the Sweet Auburn Curb Märket desires to offer residents of the community the opportunity to purchase wine and/or malt beverages in a safe, pleasant, attractive and convenient atmosphere; and

**WHEREAS**, the Sweet Auburn Market will derive less than five (5) percent of its revenue from the sale of such wine and malt beverages by the package and is thereby exempt from all other distance requirements listed in 10-88.1.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:**

**SECTION 1:**

That Chapter 10, Article II, Section 10-92(b), of the City of Atlanta Code of Ordinances be amended by adding the following:

(b) Any applicant for a license for the package sale of malt beverages and/or wine within the following areas shall not be required to comply with the distance requirements set forth in Section 10-88.1:

(iii) *That parcel of land known as 209 Edgewood Avenue, S.E., Atlanta, Georgia under the numbering system of the City of Atlanta.*

**SECTION 2:**

That all ordinances or parts or ordinances in conflict herewith are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

DEC 02, 2002  
DEC 10, 2002



**ITEMS ADOPTED ON CONSENT**

**AGENDA**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 02-O-1925  | 31. 02-O-1920 | 62. 02-R-2104 |
| 2. 02-O-1926  | 32. 02-O-1921 | 63. 02-R-2112 |
| 3. 02-O-1927  | 33. 02-O-2001 | 64. 02-R-2113 |
| 4. 02-O-1928  | 34. 02-O-2097 | 65. 02-R-2115 |
| 5. 02-O-1929  | 35. 02-O-2098 | 66. 02-R-2116 |
| 6. 02-O-1969  | 36. 02-O-2099 | 67. 02-R-2117 |
| 7. 02-O-1976  | 37. 02-O-2100 | 68. 02-R-2125 |
| 8. 02-O-2095  | 38. 02-R-1593 | 69. 02-R-2126 |
| 9. 02-O-1998  | 39. 02-R-1848 | 70. 02-R-2016 |
| 10. 02-O-1892 | 40. 02-R-1849 | 71. 02-R-2017 |
| 11. 02-O-1903 | 41. 02-R-1850 | 72. 02-R-2018 |
| 12. 02-O-1907 | 42. 02-R-1985 | 73. 02-R-2019 |
| 13. 02-O-1139 | 43. 02-R-2003 | 74. 02-R-2022 |
| 14. 02-O-1292 | 44. 02-R-2004 | 75. 02-R-2060 |
| 15. 02-O-1913 | 45. 02-R-2009 | 76. 02-R-2061 |
| 16. 02-O-1930 | 46. 02-R-2010 | 77. 02-R-2062 |
| 17. 02-O-2103 | 47. 02-R-2011 | 78. 02-R-2069 |
| 18. 02-O-1922 | 48. 02-R-2012 | 79. 02-R-2072 |
| 19. 02-O-1923 | 49. 02-R-2013 | 80. 02-R-2074 |
| 20. 02-O-2091 | 50. 02-R-2014 | 81. 02-R-2122 |
| 21. 02-O-2092 | 51. 02-R-2057 | 82. 02-R-2023 |
| 22. 02-O-2105 | 52. 02-R-2058 | 83. 02-R-2064 |
| 23. 02-O-1396 | 53. 02-R-2073 | 84. 02-R-2065 |
| 24. 02-O-1792 | 54. 02-R-2015 | 85. 02-R-2066 |
| 25. 02-O-1914 | 55. 02-R-2059 | 86. 02-R-2070 |
| 26. 02-O-1915 | 56. 02-R-1216 | 87. 02-R-2028 |
| 27. 02-O-1916 | 57. 02-R-2119 | 88. 02-R-2029 |
| 28. 02-O-1917 | 58. 02-R-2123 | 89. 02-R-2030 |
| 29. 02-O-1918 | 59. 02-R-2055 | 90. 02-R-2031 |
| 30. 02-O-1919 | 60. 02-R-2063 | 91. 02-R-2032 |
|               |               | 92. 02-R-2033 |
|               |               | 93. 02-R-2034 |
|               |               | 94. 02-R-2035 |
|               |               | 95. 02-R-2036 |
|               |               | 96. 02-R-2037 |

**ITEMS ADVERSED ON CONSENT**

**AGENDA**

- |                |                |
|----------------|----------------|
| 97. 02-R-2027  | 107. 02-R-2047 |
| 98. 02-R-2038  | 108. 02-R-2048 |
| 99. 02-R-2039  | 109. 02-R-2049 |
| 100. 02-R-2040 | 110. 02-R-2050 |
| 101. 02-R-2041 | 111. 02-R-2051 |
| 102. 02-R-2042 | 112. 02-R-2052 |
| 103. 02-R-2043 | 113. 02-R-2053 |
| 104. 02-R-2044 | 114. 02-R-2054 |
| 105. 02-R-2045 |                |
| 106. 02-R-2046 |                |

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Consent I Vote: 9 Yeas; 0 Nays (See RCS #4251)

Items Removed from the Consent Agenda: 02-O-2096; 02-R-2094; 02-R-2114; 02-R-2118

02-0-1139  
(Do Not Write Above This Line)

AN ORDINANCE BY  
COUNCILMEMBER DEBI STARNES  
AMENDING SECTION 10-88.1, SUBSECTION 1,  
TO ADD CURB MARKETS TO THE LIST OF  
RETAIL STORES EXEMPT FROM THE  
1,500 FEET DISTANCE REQUIREMENT  
BETWEEN PACKAGE STORES.

ADOPTED BY

DEC 02 2002

COUNCIL  
Substitute

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

Date Referred 6/17/02

Referred To: Public Safety & Dept of Health

Date Referred 10/21/02

Referred To: Legal Administration

Date Referred \_\_\_\_\_

Referred To: \_\_\_\_\_

JUN 25 2002

First Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

PC Committee A

Date 6/17/02

Chair [Signature]

Fav, Adv, Hold (see rev. side)

Action Other

Members: [Signature]

Refer To \_\_\_\_\_

PC Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Action \_\_\_\_\_

Members: [Signature]

Refer To \_\_\_\_\_

PC Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Action \_\_\_\_\_

Members: [Signature]

Refer To \_\_\_\_\_

PC Committee \_\_\_\_\_

Date 6/17/02

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Action Other

Members \_\_\_\_\_

Refer To \_\_\_\_\_

PC Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Action \_\_\_\_\_

Members \_\_\_\_\_

Refer To \_\_\_\_\_

PC Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Action \_\_\_\_\_

Members: [Signature]

Refer To \_\_\_\_\_

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  PC Vote

DEC 02 2002

CERTIFIED

CERTIFIED

ROSE DUNN  
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]

DEC 10 2002