

#12

11-0-0995
(Do Not Write Above This Line)

AN ORDINANCE BY *knit*
COUNCILMAN KWANZA HALL

AN ORDINANCE TO AMEND
SECTION 10-209 (c)(1) and (d)(1)
OF THE CODE OF ORDINANCES
OF THE CITY OF ATLANTA,
GEORGIA SO AS TO ESTABLISH
A NEW CLOSING TIME FOR
THOSE ESTABLISHMENTS
LICENSED TO SELL
ALCOHOLIC BEVERAGES FOR
ON-PREMISES CONSUMPTION;
AND FOR OTHER PURPOSES.

APPROVED BY
CITY COUNCIL

JUL 05 2011

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

Date Referred *6/20/11*

Referred To: *Public Safety*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee *PSLA*

Date *6/28/11*

Chair *[Signature]*

Action
Fav, Adv, Hold (see rev. side)
Other

Members
John Shepe
Adrian
Al SW

Refer To

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other

Members _____

Refer To

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other

Members _____

Refer To

Committee _____

Date _____

Chair _____

Action
Fav, Adv, Hold (see rev. side)
Other

Members _____

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

JUL 05 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

JUL 05 2011

Rhonda Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

AN ORDINANCE

BY COUNCILMAN KWANZA HALL

AN ORDINANCE TO AMEND SECTION 10-209 (c)(1) and (d)(1) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA SO AS TO ESTABLISH A NEW CLOSING TIME FOR THOSE ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION; 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 an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages within its territorial limits; and

WHEREAS, the City of Atlanta is authorized to regulate the hours within which establishments licensed to sell alcoholic beverages may sell such beverages; and

WHEREAS, vibrant and active commercial areas, which often include well-run hospitality establishments that sell alcohol for on-premises consumption, can positively contribute to the economic development objectives and will generate significant tax revenue.

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

Section 1: Section 10-209 (c)(1) and (d)(1) which currently provide as follows:

(c) (1)

Except as otherwise provided by O.C.G.A. § 3-3-7 and those licensees located within a special entertainment district as defined by Code section 10-211 and those licensees that elect to be subject to Code section 10-94(a)(7), all other licensees for the sale of wine or malt beverages for consumption on the premises shall be authorized to engage in the sale of wine or malt beverages on Monday through Friday between the hours of 9:00 a.m. of one day and 2:30 a.m. of the following day and on Saturday from 9:00 a.m. to 2:30 a.m. on Sunday. Wine and/or malt beverages may be sold on Sundays between the hours of 12:30 p.m. and 12:00 a.m. midnight only in

public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; and in restaurants (as defined in Code section 10-1). Wine and/or malt beverages may also be served on Sunday in conjunction with the issuance of both an outdoor festival permit pursuant to Code section 138-204 and a special event permit pursuant to Code section 10-8

(d) (1)

Except as otherwise provided by O.C.G.A. § 3-3-7, and those licensees located within a special entertainment district as defined by Code section 10-211 and those licensees that elect to be subject to Code Section 10-94(a)(7), all licensees for the sale of distilled spirits by the drink or for the operation of a bottle house on the premises shall be authorized to engage in the sale of those distilled spirits only on Monday through Friday between the hours of 9:00 a.m. of one day and 2:30 a.m. of the following day and on Saturday from 9:00 a.m. to 2:30 a.m. on Sunday. Distilled spirits may be sold on Sundays between the hours of 12:30 p.m. and 12:00 a.m. only in public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; and in restaurants (as defined in Code section 10-1). Distilled spirits may also be served on Sunday in conjunction with the issuance of both an outdoor festival permit pursuant to Code section 138-204 and a special event permit pursuant to Code section 10-8

Are hereby amended by changing the closing times to “4:00 a.m.” Monday through Friday and “2:55 a.m.” on Saturday, so that when amended, subsections (c)(1) and (d)(1) shall provide as follows:

(c) (1)

Except as otherwise provided by O.C.G.A. § 3-3-7 and those licensees located within a special entertainment district as defined by Code section 10-211 and those licensees that elect to be subject to Code section 10-94(a)(7), all other licensees for the sale of wine or malt beverages for consumption on the premises shall be authorized to engage in the sale of wine or malt beverages on Monday through Friday between the hours of 9:00 a.m. of one day and 4:00 a.m. of the following day and on Saturday from 9:00 a.m. to 2:55 a.m. on Sunday. Wine and/or malt beverages may be sold on Sundays between the hours of 12:30 p.m. and 12:00 a.m. midnight only in public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; and in restaurants (as defined in Code section 10-1). Wine and/or malt beverages may also be served on Sunday in conjunction with the issuance of both an outdoor festival permit pursuant to Code section 138-204 and a special event permit pursuant to Code section 10-8

(d) (1)

Except as otherwise provided by O.C.G.A. § 3-3-7, and those licensees located within a special entertainment district as defined by Code section 10-211 and those licensees that elect to be subject to Code Section 10-94(a)(7), all licensees for the sale of distilled spirits by the drink or for the operation of a bottle house on the premises shall be authorized to engage in the sale of those distilled spirits only on Monday through Friday between the hours of 9:00 a.m. of one day and 4:00 a.m. of the following day and on Saturday from 9:00 a.m. to 2:55 a.m. on Sunday. Distilled spirits may be sold on Sundays between the hours of 12:30 p.m. and 12:00 a.m. only in public stadiums, coliseums and auditoriums with a seating capacity in excess of 3,500 persons; and in restaurants (as defined in Code section 10-1). Distilled spirits may also be served on Sunday in conjunction with the issuance of both an outdoor festival permit pursuant to Code section 138-204 and a special event permit pursuant to Code section 10-8

Section 2: All ordinances and code sections and parts of ordinances and code sections in conflict herewith are hereby waived to the extent of any such conflict.

RCS# 1262
7/05/11
2:55 PM

Atlanta City Council

REGULAR SESSION

11-O-0995

AMEND SEC.10-209(C) (1) AND (D) (1) OF
CITY CODE
ADVERSE

YEAS: 11
NAYS: 3
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	N Archibong	Y Moore	Y Bond
N Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
N Winslow	B Adrean	Y Sheperd	NV Mitchell

11-O-0995

RCS# 1257
7/05/11
2:36 PM

Atlanta City Council

REGULAR SESSION

11-O-0995

AMEND SEC.10-209(C) (1) AND (D) (1) OF
CITY CODE
ADVERSE

YEAS: 10
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	NV Archibong	Y Moore	Y Bond
N Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	B Willis
N Winslow	B Adrean	Y Sheperd	NV Mitchell

11-O-0995

RCS# 1256
7/05/11
2:35 PM

Atlanta City Council

REGULAR SESSION

11-O-0995

AMEND SEC.10-209(C) (1) AND (D) (1) OF
CITY CODE
RECONSIDER

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

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	B Willis
NV Winslow	B Adrean	Y Sheperd	NV Mitchell

11-O-0995

RCS# 1255
7/05/11
2:34 PM

Atlanta City Council

REGULAR SESSION

11-O-0995

AMEND SEC.10-209(C) (1) AND (D) (1) OF
CITY CODE
ADVERSE

YEAS: 9
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	NV Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
N Young	Y Shook	Y Bottoms	B Willis
NV Winslow	B Adrean	Y Sheperd	NV Mitchell

11-O-0995