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13-01378-1378

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER CARLA SMITH

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-92 (b) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENTS LISTED IN SECTION 10-88.1 FOR PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY THE PACKAGE; AND FOR OTHER PURPOSES.

Amended by Council 12/02/2013

Adapted as Amended 12/02/2013

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

Date Referred 11/4/13
 Referred To: Public Safety
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading

Committee _____
 Date _____
 Chair *Michael Bond*
 Referred To _____

Committee <i>PSA</i>	Committee
Date <i>11/12/13</i>	Date
Chair <i>Michael Bond</i>	Chair
Action <i>On Calendar</i>	Action
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other	Other
Members <i>Clota Henderson</i> <i>...</i>	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action	Action
Fav, Adv, Hold (see rev. side)	Fav, Adv, Hold (see rev. side)
Other	Other
Members	Members
ADOPTED BY	
DEC 02 2013	
COUNCIL	
Refer To	Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
 DEC 02 2013
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 1 2013

WITHOUT SIGNATURE BY OPERATION OF LAW

Tabled 11/18/13



AN ORDINANCE

BY COUNCILMEMBER CARLA SMITH

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, SECTION 10-92 (b) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO PROVIDE AN EXEMPTION FROM THE DISTANCE REQUIREMENTS LISTED IN SECTION 10-88.1 FOR PACKAGE STORES LICENSED TO SELL MALT BEVERAGES AND/OR WINE BY THE PACKAGE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, 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 for the public health, safety and welfare; and

WHEREAS, Chapter 10 of the City of Atlanta Code of Ordinances, regulates the issuances of licenses for package sales of beer and wine for consumption off the premises; and

WHEREAS, Section 10-88.1 (a) of the City of Atlanta Code of Ordinances sets forth the City's distance requirements from other package stores, residences, schools, parks, libraries, churches, hospitals and daycare facilities; and

WHEREAS, an area of Downtown Atlanta near Grant Park and on Memorial Drive is being developed to take advantage of the opportunity to establish an environment of in-town living, which caters to the convenience and character of the residents and businesses therein; and

WHEREAS, the current distance regulations set forth in Section 10-88.1(a) restrict the potential effectiveness of the development of this area.

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

SECTION 1: That Chapter 10, Article II, Section 10-92 (b) of the City of Atlanta Code of Ordinances is hereby amended to add a new subsection (X) which shall read as follows:

(X) For one (1) retail establishment located at 568 Boulevard, S.E. and situated on all that tract or parcel of land lying in and being in land lot 21 of the 14th Land District, Fulton County, Georgia and being more particularly described as follows:

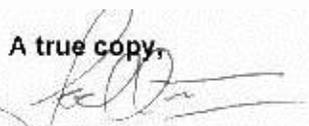
[Insert legal description]

SECTION 2: That this ordinance becomes effective upon the Mayor's signature or as specified by City Charter Sec. 2-403.



SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

A true copy,


Deputy Clerk

ADOPTED *as amended* by the Council
APPROVED as per City Charter Section 2-403

DEC 02, 2013
DEC 11, 2013

Cathelene Ro
Clerk of Superior C
Fulton County, Geo



Exhibit A

All that tract or parcel of land lying and being in The City of Atlanta in Land Lot 21 of the 14th District, Fulton County, Georgia, being delineated as parcel 1 as per plat recorded in Plat Book 157, Page 14, Fulton County, Georgia records, which recorded plat is incorporated herein by this reference and made a part of this description. Said property being known as 560-568 Boulevard Avenue according to the present system of numbering property in Fulton County, Georgia.

Mrs. Marquez's Initials: LM

RCS# 3177
12/02/13
3:21 PM

Atlanta City Council

13-O-1378

AMEND COA CODE SECTION 10-92(B) DISTANCE
REQUIREMENTS FOR PACKAGE STORES
ADOPT AS AMNDED

YEAS: 12
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

13-O-1378