

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.