

14-0-1015
(Do Not Write Above This Line)

AN ORDINANCE BY COUNCIL MEMBER KWANZA HALL

AN ORDINANCE TO ESTABLISH A NEW SECTION 10-130 (PRESENTLY RESERVED) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 10 (ALCOHOLIC BEVERAGES), ARTICLE II (DEALERS AND MANUFACTURER), DIVISION 3 (SPECIAL PERMITS), SO AS TO AUTHORIZE THE ISSUANCE OF HOME-BREW SPECIAL EVENT PERMITS; TO IMPOSE A PERMIT FEE OF \$50.00 AS AUTHORIZED BY STATE LAW; TO WAIVE CITY CODE SECTION 2-45; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND PURPOSES.

ADOPTED
FEB 17 2014
substitute

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

COUNCIL

Date Referred: 1/6/14
Referred To: Public Safety
Date Referred:
Referred To:
Date Referred:
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSL Committee

Date: 1/14/14
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: _____

Refer To: _____

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

CERTIFIED
FEB 17 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
FEB 17 2014
MAYOR'S ACTION

APPROVED

FEB 26 2014

WITHOUT SIGNATURE BY OPERATION OF LAW

ELMS VERT ONE

3497

14-O-1015

AN ORDINANCE

BY COUNCILMEMBER KWANZA HALL

AS SUBSTITUTED BY

PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

AN ORDINANCE TO ESTABLISH A NEW SECTION 10-130 (PRESENTLY RESERVED) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 10 (ALCOHOLIC BEVERAGES), ARTICLE II (DEALERS AND MANUFACTURER), DIVISION 3 (SPECIAL PERMITS), SO AS TO AUTHORIZE THE ISSUANCE OF HOME-BREW SPECIAL EVENT PERMITS; TO IMPOSE A PERMIT FEE OF \$50.00 AS AUTHORIZED BY STATE LAW; TO WAIVE CITY CODE SECTION 2-45; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of 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, during the 2013 session of the Georgia General Assembly, House Bill 99 was enacted which amended OCGA § 3-5-4 to authorize the issuance of home-brew special event permits by counties and municipalities and for such local authorities to provide for ordinances governing home-brew special events; and

WHEREAS, businesses and residents have expressed an interest in such home-brew special events to be held in the City of Atlanta as authorized by OCGA § 3-5-4; and

WHEREAS, it is the desire of the Atlanta City Council to amend Chapter 10, D, Article II, Division 3 so as to authorize the issuance of home-brew special event permits.

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

SECTION 1: A new section 10-130 (presently reserved) of the Code of Ordinances of the City of Atlanta, Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturer), Division 3 (Special Permits), is hereby established, which shall provide as follows:

10-130. Home-brew Special Events.

- (a) Upon filing an application and payment of a fee of \$50.00 and after review by the license review board, the mayor may issue a permit authorizing home-brew special events (including contests, tastings, and judgments) wherein malt beverages produced by a person in his or her private residence in accordance with OCGA § 3-5-4, may be transported and delivered in accordance with OCGA § 3-5-4(c).
- (b) The application for such permit must have been filed with the License and Permits Unit of the Atlanta Police Department at least 30 days prior to the date of the special event.
- (c) Not more than six permits may be issued pursuant to this section to an individual, organization or entity in any one calendar year.
- (d) Subject to the City of Atlanta's zoning ordinances, permits issued pursuant to this section may be issued for locations not otherwise licensed under this title and shall be valid only for the location specified in the permit.
- (e) (1) Consumption of malt beverages at Home-brew Special Events is limited solely to malt beverages produced pursuant to OCGA § 3-5-4.
- (2) Malt beverages produced pursuant to OCGA § 3-5-4 shall only be consumed by the participants in and judges of the Home-brew Special Event, and may not be sold, offered for sale, or made available for consumption by the general public.

SECTION 2: That Chapter 2, Article II, Division 1, Section 2-45 (Establishment or change in fees; notice to public) is waived to the extent that it is applicable to this ordinance.

SECTION 3: This ordinance shall become effective upon the Mayor's signature or as specified by City Charter Section 2-403.

SECTION 4: Should any ordinance or part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

AAR

A true copy,

Deputy Clerk

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

FEB 17, 2014
FEB 26, 2014

RCS# 116
2/17/14
3:48 PM

Atlanta City Council

14-O-1015

ESTABLISH A NEW SECTION 10-130 COA CODE
CH 10 ALCOHOLIC BEVERAGES; HOME BREW
ADOPT

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 1
ABSENT 0

Y Smith	E Archibong	N Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Norwood
Y Young	Y Shook	NV Bottoms	Y Dickens
NV Winslow	Y Adrean	Y Sheperd	NV Mitchell

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