

STATE OF GEORGIA  
COUNTY OF FULTON

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, TO AMEND CHAPTER 6 (ALCOHOLIC BEVERAGES) OF THE CITY'S CODE OF ORDINANCES; TO PROVIDE FOR THE SALE OF ALCOHOLIC BEVERAGES WITHIN CITY SPRINGS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

**BE IT ORDAINED** by the Mayor and City Council of the City of Sandy Springs, Georgia that Article II of Chapter 6 of the City of Sandy Springs Code of Ordinances is amended as follows:

**SECTION I:** Article II of Chapter 6 of the City of Sandy Springs Code of Ordinances regarding vendors of alcoholic beverages, is amended by adding Division 6 relating to special provisions and exceptions within City Springs, to read as follows:

Division 6. SPECIAL PROVISIONS AND EXCEPTIONS WITHIN CITY SPRINGS

Sec. 6-181. *General.*

Except as specifically otherwise provided herein, the provisions of this article are intended to set forth certain exceptions and provisions applicable only to licensees whose establishments are located within City Springs (as hereinafter defined) holding licenses to sell alcoholic beverages for consumption on the premises. Except as specifically set forth in this article, all such licensees remain subject to all other provisions of the city's alcoholic beverage ordinances.

Sec. 6-182. *Definition of City Springs.*

City Springs is defined as the area of the city encompassed by the following: "beginning at the southeast corner of the intersection of Sandy Springs Circle and Johnson Ferry Road and traveling eastward along the southern right-of-way of Johnson Ferry Road to the intersection with Roswell Road, then traveling southward from the intersection of Johnson Ferry Road with Roswell Road along the western right-of-way of Roswell Road to the intersection with the southern right-of way of Mt. Vernon Road, then traveling westward along the southern right-of-way of Mt. Vernon Road to the intersection with the eastern property line of the city owned parking lot, then south along the eastern property line of the city owned parking lot to the intersection with Hilderbrand Drive, then west along the northern right of way of Hilderbrand Drive to the intersection with the western right-of-way of Bluestone Road, then traveling northward along the western right-of-way of Bluestone Road to the intersection with the southern right-of-way of Mt. Vernon Road, then travelling westward along the southern right-of-way of Mt. Vernon Road to the intersection with eastern right-of-way of Sandy Springs Circle, then traveling northward along the eastern right-of-way of Sandy Springs Circle to the intersection with Johnson Ferry Road and the point of beginning." City Springs shall not be deemed to include establishments not physically located within the designated City Springs area.

Sec. 6-183. *Outside consumption of alcoholic beverages permitted within the defined City Springs area.*

- (a) Two drink on-street limit. Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense an alcoholic beverage in a paper or plastic cup, or alternative container other than a can, bottle, or glass, for removal from the premises; provided, however, that no establishment shall dispense to any person more than two such alcoholic beverages at a time for removal from the premises, and no person shall remove at one time more than two such alcoholic beverages from the licensed premises.
- (b) Size limited to a maximum of sixteen (16) ounces. No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed sixteen (16) fluid ounces in

size. No person shall hold in possession on the streets and sidewalks, in parks and squares, or in other public places within the defined City Springs area any open alcoholic beverage container which exceeds sixteen (16) fluid ounces in size.

- (c) Drinking from can, bottle, or glass prohibited. It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass, or to possess in an open can, bottle, or glass any alcoholic beverage on the streets, sidewalks, parks and squares, rights-of-way, parking lots, whether public or private, or in other public places within the defined City Springs area.
- (d) Purchase from licensed premises within City Springs. Alcoholic beverages consumed pursuant to this provision must be purchased from a licensed premise within the defined City Springs area.
- (e) Consumption limited to the defined City Springs area. No alcoholic beverage purchased pursuant to this provision may be consumed outside of the defined City Springs area.
- (f) Consumption limited to lawful hours of operation. No alcoholic beverage purchased pursuant to this provision shall be consumed except within the authorized hours of sale of the establishment where purchased.

Sec. 6-184. *Alcohol/food sales ratio.*

A licensed establishment located within the defined City Springs area shall derive a minimum of fifty (50) percent of its total annual gross food and beverage sales from the sale of prepared meals or food.

Sec. 6-185. *Special events and city-sanctioned or city-sponsored events.*

The City Council may approve and allow the sale of alcoholic beverages within the defined City Springs area by Sandy Springs licensees holding licenses to sell alcoholic beverages for consumption on the premises, but whose establishments are not located within the defined City Springs area, upon application made in conjunction with a special event permit application or in conjunction with a city-sanctioned or city-sponsored event. The City Council may prescribe such other conditions and stipulations as it may deem appropriate with regard to the approval and the applicant shall comply with all provisions of Sec. 6-183 above. A city-sanctioned or city-sponsored event is one which is conducted or sponsored by any department, agency, board or commission of the City of Sandy Springs or as may be specifically approved by the City Council.

Sec. 6-186. *No abrogation of other laws.*

The provisions of this article shall not be deemed to abrogate or otherwise impact any state law or local ordinance pertaining to public drunkenness, disorderly conduct, driving with an open container or under the influence of alcohol, or similar laws.

**SECTION II:** It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Sandy Springs, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

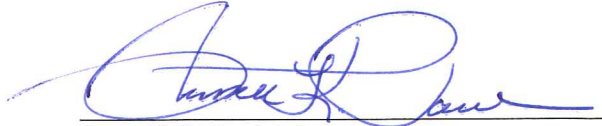
**SECTION III:** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**SECTION IV:** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

SECTION V: This Ordinance shall become effective immediately upon adoption.

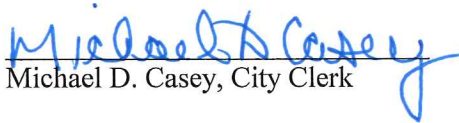
APPROVED AND ADOPTED this the 17<sup>th</sup> day of January, 2017.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

