

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 CHANGE THE TIME WHEN A QUALIFIED CONSUMPTION ON THE PREMISES LICENSEE MAY BEGIN ENGAGING IN THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY; 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: Division 4 of Article II of Chapter 6 of the City of Sandy Springs Code of Ordinances regarding vendors of alcoholic beverages, is amended by changing the time when a qualified consumption on the premises licensee may begin engaging in the sale of alcoholic beverages on Sunday, to read as follows:

Division 4 CONDUCT OF BUSINESS

Sec. 6-134. - Hours of operation.

- (a) Package licensees shall not engage in the sale of alcoholic beverages except between the hours of 7:00 a.m. and 12:00 midnight Monday through Saturday and between the hours of 12:30 p.m. and 11:30 p.m. on Sunday. Package licensees shall not permit their places of business to be open except between the hours of 7:00 a.m. and 12:00 midnight, Monday through Saturday, or between the hours of 12:30 p.m. and 11:30 p.m. on Sundays, except that where the primary business of a malt beverage package licensee or wine package licensee is other than the sale of alcoholic beverages, such restrictive hours shall apply only with respect to the sale of malt beverages or wine.
- (b) Consumption on the premises licensees shall engage in the sale of alcoholic beverages only between the hours of 9:00 a.m. and 2:00 a.m., Monday through Saturday, and at any time from 11:55 p.m. on Saturdays until 1:55 a.m. on Sundays. Sunday sales may be made by eating establishments, as defined herein, between the hours of ~~12:30 p.m.~~ 11:00 a.m. and 12:00 midnight, provided application for Sunday sales is made and the fee paid. Sunday sales may be made at any time in private clubs provided application for Sunday sales is made and the fee paid. Further, any licensed eating establishment open on Sundays from ~~12:30 p.m.~~ 11:00 a.m. until midnight may remain opened from midnight until 2:00 a.m. the following Monday.
- (c) The business hours of wholesale dealers shall be between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. There shall be no sales on Sunday.

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 is conditioned upon approval of a public referendum authorizing the City to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M., to be held on November 6, 2018. This Ordinance shall become effective on November 9th, provided that the results of said referendum are canvassed by the City's election superintendent, the City's election superintendent has declared that the majority number of votes for passage and approval of the referendum was positive, and the City's election superintendent has certified the results to the Georgia Secretary of State.

APPROVED AND ADOPTED this the 17th day of July, 2018.

Approved:



Russell K. Paul, Mayor

Attest:


Michael D. Casey, City Clerk

(Seal)

