

COUNTY FULTON

**AN ORDINANCE TO AMEND SECTION 17 OF ARTICLE 1 OF CHAPTER 7
ON ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF
THE CITY OF SANDY SPRINGS SO AS TO ALLOW FOR AN EXTENSION OF TIME
BEFORE AUTOMATIC FORFEITURE OF A LICENSE FOR NONUSE
WHEN THE NONUSE IS DUE TO REMODELING AND/OR RENOVATIONS**

WHEREAS, Section 17 of Article 1 of Chapter 7 of the Code of Ordinances currently provides that any holder of any license issued under Chapter 7, who, after issuance of the license, ceases to operate the business and sale of the product(s) authorized for a period of three consecutive months, shall, after the three month period, automatically forfeit the license without any further action being necessary; and

WHEREAS, the Mayor and the City Council have determined that instances may exist where it may be necessary or advisable for a holder of a license issued under Chapter 7 to cease to operate the licensed business during remodeling and/or renovations of the business; and

WHEREAS, instances may exist where the remodeling and/or renovations may be so extensive or otherwise so involved that more than three months may be required for completion; and

WHEREAS, under such circumstances the holder of the license should be able to petition the City Council and the City Council should be able to approve an extension of up to six (6) additional months before the nonuse of the license shall cause the automatic forfeiture of the license;

NOW, THEREFORE, the Mayor and City Council of the City of Sandy Springs do hereby adopt this Ordinance so that Section 17 of Article 1 of Chapter 7 is hereby amended by adding thereto the following:

“; provided, however, that in the event the nonuse of the license by the license holder is as a result of remodeling and/or renovations to the licensed premises and the remodeling and/or renovations are going to require more than three (3) months, the license holder may request an extension in writing by providing justification for the extension to the City Manager of up to six (6) additional months before the license holder shall be held to have automatically forfeited the license without the necessity of any further action.”

so that Chapter 7, Article 1, Section 17, as amended, shall henceforth read as follows:

“Section 17: Automatic license forfeiture for nonuse

Any holder of any license under this Chapter who shall for a period of three consecutive months after the license has been issued cease to operate the business and sale of the product or products authorized shall, after the three-month period, automatically forfeit the license without the necessity of any further action; provided, however, that in the event the nonuse of the license by the license holder is as a result of remodeling and/or renovations to the licensed premises and the remodeling and/or renovations are going to require more than three (3) months, the license holder may request an extension in writing by providing justification for the extension to the City Manager of up to six (6) additional months before the license

holder shall be held to have automatically forfeited the license without the necessity of any further action."

SO ORDAINED this 6th day of March, 2007.

Approved:

Eva Galambos

Eva Galambos, Mayor

Attest:

Christina Rowland

Christina Rowland, City Clerk

(Seal)

