

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND THE CITY OF SANDY SPRINGS ALCOHOLIC BEVERAGE
ORDINANCE TO PROVIDE FOR THE ISSUANCE OF ANCILLARY WINE TASTING
LICENSES**

WHEREAS, the City of Sandy Springs has heretofore adopted an Alcoholic Beverage Ordinance to regulate the sale and distribution of alcohol within the City of Sandy Springs (the "Alcoholic Beverage Ordinance"), as set forth in Chapter 6 of the Code of the City of Sandy Springs (the "Code"); and

WHEREAS, provisions of the Alcoholic Beverage Ordinance currently prohibit the consumption of alcohol in any licensed establishment that sells alcohol for off-premises consumption; and

WHEREAS, the Mayor and Council have determined that it may be appropriate to amend the ordinance to permit holders of wine licenses to conduct product samplings of wine on the permit holder's premises under certain limited conditions, where wine tasting is a minor portion of the business, designed to provide wine appreciation, education and retail sales as opposed to on-site consumption;

THEREFORE, Mayor and City Council of the City of Sandy Springs hereby ordain:

Section 1 of Amendment: The Alcoholic Beverage Ordinance is hereby amended by adding Sec. 6-114 to Chapter 6, Article II, Division 3 of the Code as follows:

Sec. 6-114: Ancillary Wine Tasting License

- (a) The holder of a wine license shall be eligible for an ancillary wine tasting license to provide samples of wine offered for sale to customers under the conditions set forth in this section.
- (b) Wine sampling shall be on limited occasions when a customer requests a sample of a wine offered for sale within the premises, or in conjunction with wine education classes and sampling designed to promote wine appreciation and education.
- (c) Wine tasting for customers shall only be conducted at a wine counter area constituting no more than ten percent (10%) of the entire floor area of the premises.
- (d) Wine sampling for customers shall be limited to no more than one (1) time per day for a period of not to exceed two (2) consecutive hours. Samples shall not exceed two (2) ounces, and no customer shall consume more than eight (8) ounces in any two (2) hour period.
- (e) Wine bottles shall be opened only by the licensee or an employee, and samples shall only be poured by the licensee and/or an employee.
- (f) No open containers of wine shall be removed from the licensed premises.
- (g) Not more than two (2) times per week for a period of not to exceed two (2) consecutive hours, the holder of an ancillary wine tasting license may conduct educational classes and sampling for classes. All conditions of sampling set forth in this section shall apply to such classes, except for the limitation on floor areas where the classes can be conducted.

- (h) Holders of an ancillary wine tasting permit shall not charge for samples or tastings, but may accept donations for a charitable organization of their choice.
- (i) Wine sampling and tasting is only permitted within the enclosed portion of the premises.
- (j) The annual fee for an ancillary wine tasting license shall be set, and may be revised by, resolution of the Mayor and Council.

Section 2 of Amendment: This Amendment shall become effective immediately upon its adoption by the City Council, and incorporated into the Code of the City of Sandy Springs, Georgia. This Amendment hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this 2nd day of June, 2009.

Approved:

Eva Galambos

 Eva Galambos, Mayor

ATTEST:

Michael D. Casey

 Michael D. Casey, Interim City Clerk

Approved as to Form and Content:

Wendell Willard

 Wendell Willard, City Attorney

(Seal)

