

STATE OF GEORGIA
COUNTY OF FULTON

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SANDY SPRINGS, GEORGIA, TO REVISE THE ELIGIBILITY REQUIREMENTS FOR ALCOHOL POURING PERMITS; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES

WHEREAS, the City of Sandy Springs is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City is authorized to regulate the issuance of alcohol licenses and pouring permits in the City;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, DOES HEREBY ORDAIN as follows:

Section 1:

That Chapter 6 (*Alcoholic Beverages*), Article II (*Vendors*), Division 2 (*License*), of the Code of Ordinances, City of Sandy Springs, Georgia, is hereby amended as follows:

1. Paragraph (f) of Section 6-60 (*Eligibility for license*) is hereby deleted in its entirety and a new paragraph (f) is inserted in lieu thereof, which shall read as follows:

“(f) A licensee shall not have been convicted within the ten years preceding his application of any felony, any misdemeanor involving moral turpitude, any sexual-related crime, or any criminal offense relating to alcoholic beverages, taxes or gambling, except as otherwise provided herein. A licensee shall not have more than one conviction within the ten years preceding his application of any misdemeanor criminal offense related to alcoholic beverages including, but not limited to, illegal possession, sale, or use of alcoholic beverages, or more than one conviction for any misdemeanor criminal offense relating to the illegal possession, sale, or use of any controlled substance. This subsection shall apply with respect to the laws of this state, other states, the United States, and other countries. A plea of nolo contendere or the forfeiture of a bond shall be considered a conviction for purposes of this subsection. Sentencing as first offender status shall not be considered as a conviction if the sentence was successfully completed without any violation of probation and with no adjudication of guilt ever being entered.”

All remaining provisions of Section 6-60 (*Eligibility for license*) shall remain unchanged and in full force and effect.

2. Paragraph (h) of Section 6-163 (*Pouring permit required*) is hereby deleted in its entirety and a new paragraph (h) is inserted in lieu thereof, which shall read as follows:

“(h) A pouring permit shall not be issued if within a period of five years of the application date, the applicant has been convicted of any felony, any misdemeanor involving moral turpitude, any sexual-related crime, or any criminal offense relating to alcoholic beverages, taxes or gambling, except as otherwise provided herein. A pouring permit shall not be issued if within a period of five years of the application date, the applicant has more than one conviction for any misdemeanor criminal offense relating to alcoholic beverages including, but not limited to, the illegal possession, sale or use of alcoholic beverages, or

more than one conviction for any misdemeanor criminal offense relating to the illegal possession, sale or use of any controlled substance. A pouring permit shall not be issued if the applicant has not been released from any parole or probation prior to the filing of the application. This subsection shall apply with respect to the laws of this state, other states, the United States, and other countries. A plea of nolo contendere or the forfeiture of a bond shall be considered a conviction for purposes of this subsection. Sentencing as first offender status shall not be considered as a conviction if the sentence was successfully completed without any violation of probation and with no adjudication of guilt ever being entered.”

All remaining provisions of Section 6-163 (*Pouring permit required*) shall remain unchanged and in full force and effect.

Section 2:

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Section 3:

It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be amended to accomplish such intention.

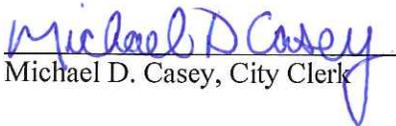
APPROVED AND ADOPTED this the 15th day of April, 2014.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

