
CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: May 30, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: An Ordinance to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to Permit the Sale of Beer Growlers

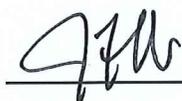
MEETING DATE: For Submission onto the June 5, 2012, City Council Regular Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum
Ordinance

APPROVAL BY CITY MANAGER:



APPROVED

NOT APPROVED

PLACED ON AGENDA FOR:

6/5/2012

CITY ATTORNEY APPROVAL REQUIRED:

() YES

() NO

CITY ATTORNEY APPROVAL:



REMARKS:



To: Honorable Mayor and City Council Members

From: Wendell K. Willard

Date: For Submission onto the June 5, 2012 City Council Meeting Agenda

Agenda Item: Three Ordinances to Amend Chapter 6 of the Sandy Springs Code of Ordinances so as to permit the sale of beer growlers, to allow growler malt beverage tastings, and to allow package sales of wine and growlers by holders of retail consumption on the premises licenses provided package wine and/or malt beverage licenses are also obtained

City Attorney's Recommendation:

The City Attorney recommends the adoption of the three attached Ordinances in order to accomplish the Mayor's and City Council's expressed wish to permit the sale of beer growlers in Sandy Springs, to allow growler malt beverage tastings similar to the existing ordinance provision allowing wine tastings, and to allow package sales of wine and growlers by holders of retail consumption on the premises licenses provided package wine and/or malt beverage licenses are also obtained.

Background:

Growlers have become a popular new manner for selling malt beverages. Over a period of months, numerous inquiries have been made by those interested in being able to sell growlers or establish a business in Sandy Springs which would be allowed to sell growlers, as well as inquiries regarding the authorization of growler malt beverage tastings in conjunction with the authorization of growler sales.

Further, with the greater interest in and promotion of wines and fresh draft beer, many restaurants are making a concentrated effort to offer unique and special wines and craft beers to their customers. Often the offered wines and/or beers may not be available for purchase in local package stores, and restaurant owners/management have made it known that they would like to have the ability to sell bottles of wine and growlers under these circumstances.

Discussion:

As a result of the above inquiries, the City Attorney was asked to prepare proposed amendments which would accomplish the above. Proposed amendments were prepared and have been addressed and discussed by Council at several previous Work Sessions, resulting in the versions attached hereto.

Alternatives:

Decide not to amend the Alcoholic Beverage Ordinance so as to allow the sale of growlers, so as to allow growler tastings, or to allow the package sale of wine and/or growlers by holders of retail consumption on the premises licenses.

Concurrent Review:

John McDonough, City Manager

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND CHAPTER 6 OF THE SANDY SPRINGS CODE OF
ORDINANCES SO AS TO PERMIT THE SALE OF BEER GROWLERS**

WHEREAS, the Alcoholic Beverage Ordinance of the City of Sandy Springs, as currently enacted, does not allow for the sale of beer growers; and

WHEREAS, growlers have become a popular new manner for selling malt beverages; and

WHEREAS, other jurisdictions in Georgia have enacted ordinances which allow for the sale of growlers; and

WHEREAS, the City Council has determined that in light of the growing popularity of craft malt beverages and growlers, the Alcoholic Beverage Ordinance of the City of Sandy Springs be amended to allow the sale of growlers;

NOW, THEREFORE, in order to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, pursuant to their authority, do hereby amend Chapter 6, Article I, Section 6-1(b) and Chapter 6, Article II, Division 4, Section 6-137 as follows:

Chapter 6, Article I, Section 6-1(b) is hereby amended so as to add the word “growler”, as a defined term, as follows:

“Growler means a glass bottle not to exceed 2 liters and not less than 12 ounces that is filled with beer from a keg by a licensee, or an employee of a licensee, holding a package malt beverage license issued by the City of Sandy Springs.”

Chapter 6, Article II, Division 4, Section 6-137 is hereby amended by adding to its title, “Sale of Growlers”, designating the existing paragraph under said section as (a), and adding the following designated paragraph (b), so that said Section 6-137 shall now read as follows:

“Section 6-137. On-premises consumption unlawful. Sale of Growlers.

(a) It shall be unlawful for any person to consume any alcoholic beverages on premises licensed for the sale of alcoholic beverages by the package. It shall be unlawful for any package licensee to open or break the package of any alcoholic beverages for a purchaser or to permit the consumption of alcoholic beverages on the licensed premises.

(b) The sale of Growlers, as defined in Section 6-1(b), is authorized for and by those licensees holding a package malt beverage license, with or without a package wine license, but not authorized under any circumstances for licensees holding a package distilled spirits license, and who do not sell, or offer for sell, vehicular fuel. The filling of Growlers by means of a tapped keg shall not constitute the breaking of a package as contemplated by O.C.G.A. § 3-3-26 or by subsection (a) of this Section 6-137. Growlers may only be filled from kegs procured by the licensee from a duly licensed wholesaler.

Growlers may be filled and made available for retail sale only if securely sealed. In order to be securely sealed, the Growler must be sealed with a tamper proof cap or seal."

SO ORDAINED, this the _____ day of _____, 2012.

Approved:

EVA GALAMBOS, Mayor

Attest:

Michael Casey, City Clerk
(SEAL)