



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 ALLOW GROWLER MALT BEVERAGE TASTING**

WHEREAS, the Alcoholic Beverage Ordinance of the City of Sandy Springs, as currently enacted, does not allow for growler malt beverage tasting;

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

WHEREAS, Sandy Springs is amending its Alcoholic Beverage Ordinance to allow 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 growler malt beverage tasting similar to the existing ordinance provision allowing wine tastings;

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 adopt the following to be known as Chapter 6, Article II, Division 3, Section 6-115:

“Section 6-115. Ancillary growler malt beverage tasting license.

- (a) The holder of a package malt beverage license, with or without a package wine license, but in no event with a package distilled spirits license, shall be eligible for an ancillary growler malt beverage tasting license to provide samples of growler malt beverages offered for sale to customers under the conditions set forth in this section.*
- (b) Growler malt beverage sampling shall be on limited occasions when a customer requests a sample of a growler malt beverage offered for sale within the premises, or in conjunction with growler malt beverage education classes and sampling designed to promote growler malt beverage appreciation and education.*
- (c) Growler malt beverage tasting for customers shall only be conducted at a counter area constituting no more than ten percent (10%) of the entire floor area of the premises.*
- (d) Growler malt beverage sampling for customers shall be limited to no more than one (1) time per day per customer. Samples shall not exceed two (2) ounces, and no customer shall consume more than eight (8) ounces in any two (2) hour period.*

- (e) *Only the licensee or an employee shall open, handle, and serve, and samples shall only be poured by the licensee and/or an employee.*
- (f) *No open growler containers 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 growler malt beverage tasting license may conduct educational classes and sampling for class participants. 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 growler malt beverage tasting license shall not charge for samples or tastings, but may accept donations for a charitable organization of their choice.*
- (i) *Growler malt beverage sampling and tasting is only permitted within the designated interior portion of the premises.*
- (j) *The annual fee for an ancillary growler malt beverage tasting license shall be set, and may be revised by, resolution of the Mayor and Council.”*

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

Approved:

EVA GALAMBOS, Mayor

Attest:

Michael Casey, City Clerk
(SEAL)