



CITY COUNCIL AGENDA ITEM

TO: Mayor & City Council

DATE: April 19, 2012

FROM: John McDonough, City Manager

AGENDA ITEM: Proposed amendment to Chapter 6 of the Sandy Springs Code of Ordinances to allow growler malt beverage tasting

MEETING DATE: For Submission onto the May 1, 2012, City Council Work Session Meeting Agenda

BACKGROUND INFORMATION: (Attach additional pages if necessary)

See attached:

Memorandum

APPROVAL BY CITY MANAGER: JFM APPROVED

_____ NOT APPROVED

PLACED ON AGENDA FOR: 5/1/2012

CITY ATTORNEY APPROVAL REQUIRED: () YES () NO

CITY ATTORNEY APPROVAL: [Signature]

REMARKS:



To: Honorable Mayor and City Council Members

From: Wendell K. Willard

Date: For Submission onto the May 1, 2012 City Council Work Session Agenda

Agenda Item: Proposed amendment to Chapter 6 of the Sandy Springs Code of Ordinances to allow growler malt beverage tasting

City Attorney's Recommendation:

The following proposed amendment is for consideration by the Mayor and Council if they wish to permit "growler malt beverage tastings" similar to the existing ordinance provisions for wine tastings.

Background:

In addition to having been contacted by individuals interested in being allowed to sell growlers in Sandy Springs, the Revenue Supervisor for Sandy Springs has had inquiries regarding the authorization of growler malt beverage tastings in conjunction with the authorization of growler sales.

As was the case when interest was expressed in wine tastings, currently, the Alcoholic Beverage Ordinance would not draw a distinction between a growler/malt beverage/wine shop seeking to hold an occasional growler malt beverage tasting event and a bar or restaurant. The only option currently available to serve growler malt beverages at a tasting event would be to obtain a pouring license.

Discussion:

Since growler sales may only be made by those holding a malt beverage package license with or without a wine package license, if growler malt beverage tasting is to be allowed, it would make sense for the growler malt beverage tastings to be allowed under the same circumstances and with the same restrictions as wine tastings.

Sections 6-115 through 6-130 are "reserved" and follow Section 6-114 which provides for the ancillary wine tasting license. The following could be adopted as Section 6-115 and provide for an ancillary growler tasting license, as follows:

Sec. 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.



Alternatives:

The Mayor and Council could decide to retain the existing Alcoholic Beverages Ordinance as is and not permit growler malt beverage tasting events in Sandy Springs unless in conjunction with an existing pouring license.

Concurrent Review:

John McDonough, City Manager