



**CITY COUNCIL
ATLANTA, GEORGIA**

21-O-0267

******AN ORDINANCE BY COUNCILMEMBER JENNIFER N. IDE TO AMEND CHAPTER 10, (ALCOHOLIC BEVERAGES), TO REQUIRE THAT ALL ALCOHOL LICENSES ISSUED BY THE CITY OF ATLANTA SHALL BE POSTED AND DISPLAYED IN A PUBLIC AND CONSPICUOUS PLACE ON THE PREMISES OF THE LICENSEE’S ESTABLISHMENT; TO REQUIRE THAT ALL ALCOHOL LICENSES ISSUED BY THE CITY OF ATLANTA SHALL HAVE PRINTED, THEREON, THE SPECIFIC DESIGNATION OR TYPE OF ESTABLISHMENT FOR WHICH THE LICENSE HAS BEEN ISSUED, THE GENERAL ALLOWED DAYS AND HOURS OF OPERATION FOR THE LOCATION AND WRITTEN NOTICE TO THE LICENSEE THAT THE LICENSE WITH THE HOURS OF OPERATION MUST BE POSTED IN A PUBLIC AND CONSPICUOUS PLACE WITHIN ESTABLISHMENT FOR WHICH THE LICENSE WAS ISSUED; AND FOR OTHER PURPOSES.(FAVORABLE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE 5/10/21)**

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages within its territorial limits; and

WHEREAS, OCGA § 3-4-49 and Section 1-102(c)(2) of the City of Atlanta Charter authorize the City of Atlanta to adopt all reasonable rules and regulations within its police powers to regulate the sale of alcohol, such regulations are codified in Chapter 10 of the City of Atlanta Code of Ordinances, (the Alcohol Code); and

WHEREAS, state law provides that no person may sell or otherwise deal in alcoholic beverages at retail without first obtaining a alcohol license issued by the state as well as a license issued by the county or municipality wherein the retail alcohol license establishment is located, see OCGA § 3-3-3(a); OCGA § 3-1-1 et seq.; and

WHEREAS, state law requires that each person holding an alcohol license issued by the state must “display the license prominently at all times on the premises for which the license is issued.” OCGA § 3-3-3(b); and

WHEREAS, Section 30-76 of the City of Atlanta Code of Ordinances requires that a City of Atlanta occupational tax certificate (business license) must be “available for inspection at the address listed on the certificate and shall be displayed to any authorized enforcement officer of the city when so requested”, and that this requirement “may be satisfied by posting the certificate in some conspicuous place at the address listed on the certificate”; and

WHEREAS, the purpose of such requirements for the display and posting of licenses is to assist in enabling code enforcement and law enforcement officers to determine whether the establishment is properly licensed and otherwise in compliance with applicable laws and ordinances; and

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WHEREAS, currently, while there is no requirement that persons holding an alcohol license issued by the City of Atlanta must “display the license prominently at all times on the premises for which the license is issued” in the same manner such as is required by state law for state alcohol licenses, and is required by the City Code for business licenses, though establishments licensed for the retail sale of alcohol by the City of Atlanta commonly post their City of Atlanta licenses by custom; and

WHEREAS, the Atlanta City Council has determined that it would aid the public safety of the City of Atlanta generally, and the enforcement of regulations applicable to the sale and service of alcohol in the City of Atlanta, specifically, if persons holding an alcohol license issued by the City were required to post and display their City of Atlanta alcohol licenses prominently at all times on the premises for which the license was issued; and

WHEREAS, the Atlanta City Council has also determined that it would aid the public safety of the City of Atlanta generally, and the enforcement of regulations applicable to the sale and service of alcohol in the City of Atlanta, specifically, if all City of Atlanta alcohol licenses listed the specific designation or type of establishment for which the license has been issued as provided in City Code Section 10-1, as well as the general hours of operation of the establishment for which the license has been issued as provided in City Code Section 10-209; and

WHEREAS, it is the desire of the Atlanta City Council to require that all alcohol licenses issued by the City of Atlanta shall be posted and displayed in a public and conspicuous place on the premises of the licensee’s establishment; and

WHEREAS, it is also the desire of the Atlanta City Council that all alcohol licenses issued by the City of Atlanta shall have printed thereon:

- (1) The specific designation or type of establishment for which the license has been issued; and
- (2) The general allowed days and hours of operation for the location; and
- (3) Written notice to the licensee that the license with the hours of operation must be posted in a public and conspicuous place within the establishment for which the license was issued; and

WHEREAS, the specific designation or type of establishment for which the license has been issued shall be the designation or type of establishment defined in City Code Section 10-1; and

WHEREAS, the general allowed hours of operation which shall be printed on an alcohol license issued by the City of Atlanta shall be the days and hours of operation as set forth in City Code Section 10-209, but shall not include the alternative hours of operation applicable during various holidays as set forth in City Code Section 10-209(c)(2), (d)(2), (e)(3), (f)(3-4); and



WHEREAS, it is the desire of the Atlanta City Council that the requirements of this ordinance shall be effective for all licenses issued for the 2022 calendar year.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: That Chapter 10, Article II, Section 10-34 of the City of Atlanta Code of Ordinances, currently reserved, is hereby amended so that it shall read as follows:

Sec. 10-34 - Licenses; Posting and Display

- (a) Each person holding a license issued pursuant to this Chapter shall post and display the license in a public and conspicuous place on the premises of the establishment for which the license was issued.
- (b) All licenses issued by the City of Atlanta pursuant to this Chapter shall have printed thereon:
 - (1) The specific designation or type of establishment for which the license has been issued;
 - (2) The general allowed days and hours of operation for the location; and
 - (3) Written notice to the licensee that the license with the hours of operation must be posted in a public and conspicuous place within the establishment for which the license was issued.
- (c) The specific designation or type of establishment which shall be printed on the license in accordance with subsection (b) of this section shall be the designation or type of establishment defined in City Code Section 10-1.
- (d) The general allowed hours of operation which shall be printed on the license in accordance with subsection (b) of this section shall include the days and hours of operation for the licensed establishment as provided in City Code Section 10-209, but shall not include the alternative hours of operation applicable during various holidays as set forth in City Code Sections 10-209(c)(2), 10-109(d)(2), 10-209(e)(3), and 10-209(f)(3-4).

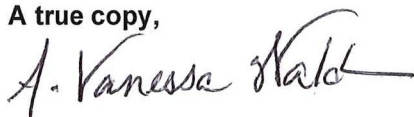
SECTION 2: The amendments in this ordinance shall become effective on January 1, 2022 and shall apply to alcohol licenses renewed or issued for the 2022 calendar year and for every year thereafter.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict only.

SECTION 4: That the Municipal Clerk is instructed to retain all legislative history references in the codified versions of Chapter 10, including Editor's notes, and shall not delete any such references, but shall amend them to include this ordinance.

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A true copy,



A. Vanessa Waldon

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

MAY 17, 2021
MAY 26, 2021