



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

January 21, 2025

VIA E-MAIL:ONLY

municodeords@civicplus.com

CivicPlus, LLC
302 S. 4th Street, Suite 500
Manhattan KS 66502

Please include the following ordinance in the Atlanta City Code.

<u>Amendment</u>	<u>Adopted</u>	<u>Approved</u>	<u>Approved</u>
2025-01 (24-O-1578)	<u>By Council</u>	<u>By Mayor</u>	<u>By Operation</u>
	1/06/2025		<u>of Law</u>
			1/15/2025

Please e-mail tpayne@atlantaga.gov to confirm your receipt of this information.

If you have any questions, please contact me at (404) 330-6334 or e-mail tpayne@atlantaga.gov.
If I am not available, please contact Municipal Clerk Corrine Lindo at (404) 330-6313 or e-mail calindo@atlantaga.gov.

Thank you for your assistance in this matter.

Sincerely,

Theresa C. Payne-Clark

Theresa C. Payne-Clark
Deputy Municipal Clerk

Enclosure (1)



**CITY COUNCIL
ATLANTA, GEORGIA**

24-O-1578

AN ORDINANCE BY COUNCILMEMBER ALEX WAN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE TO AMEND THE CITY OF ATLANTA CODE OF ORDINANCES AT CHAPTER 10, ARTICLE II, DIVISION 3 (CONCERNING SPECIAL ALCOHOL PERMITS), TO ALLOW THE MAYOR TO ISSUE TEMPORARY PERMITS AUTHORIZING BONA FIDE NONPROFIT CIVIC ORGANIZATIONS TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES FOR A PERIOD NOT TO EXCEED THREE DAYS, TO ALLOW THE MAYOR TO ISSUE NO MORE THAN SIX TEMPORARY PERMITS TO ANNUAL LICENSE HOLDERS WITHIN ANY ONE CALENDAR YEAR, TO ALLOW THE MAYOR TO ISSUE NO MORE THAN SIX TEMPORARY PERMITS TO ALLOW FOR WINE TASTINGS WITHIN ANY ONE CALENDAR YEAR, AND TO CORRECT THE CITY OF ATLANTA CODE OF ORDINANCES REFERENCES CONTAINED IN THE PROVISIONS RELATED TO TEMPORARY PERMITS RELATED TO APPROVED OUTDOOR FESTIVALS; AND FOR OTHER PURPOSES.

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, OCGA Section 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 and Chapter 30 of the City of Atlanta Code of Ordinances, (the Alcohol Code); and


WHEREAS, it is the desire of the Atlanta City Council to provide certain clarifying revisions regarding the ordinances and policies which frame the City of Atlanta's procedures for issuing licenses for the sale and service of alcohol and enforcing non-compliance within the City of Atlanta; and

WHEREAS, it is the desire of the City of Atlanta to design and manage processes that are thorough, efficient, and transparent for the support of a vibrant economy and safe communities;

WHEREAS, it is the desire of the Atlanta City Council to foster diverse cultural enrichment throughout our city communities through special event programming;

WHEREAS, specifically, state law at OCGA Sec. 3-3-9 provides that the state of Georgia may issue a permit authorizing a bona fide nonprofit civic organization to sell alcoholic beverages for consumption on the premises for a period not to exceed three days, at a location where the sale of distilled spirits, wine, or malt beverages is lawful in the place for which the permit is issued, and that the state may issue six such permits to an organization in any one calendar year; and

WHEREAS, generally state law at OCGA Sec. 3-3-2(a) provides that the selling by retail of alcoholic beverages shall not be conducted in any municipality without a permit or license from the municipality; and



WHEREAS, accordingly it is necessary for the City of Atlanta to issue a municipal temporary alcohol permit to authorize a nonprofit civic organization to sell alcoholic beverages for consumption on the premises as a condition precedent to the receipt of a temporary alcohol permit from the state pursuant to OCGA Sec. 3-3-9; and

WHEREAS, currently the Alcohol Code at Sec. 10-127 provides that the mayor may issue a permit authorizing a bona fide nonprofit civic organization to sell alcoholic beverages for consumption on the premises for a period not to exceed one day, and that the City may issue six such permits to an organization in any one calendar year; and

WHEREAS, similarly, the Alcohol Code at Sec. 10-126 provides that the mayor may issue temporary permits to annual alcohol license holders may apply for a and receive a temporary alcohol permit for events to be held beyond the premises described in the annual license for a period not to exceed seven days, and that the City may issue no more than two such permits to an annual license holder in any one calendar year; and


WHEREAS, the Alcohol Code at Sec. 10-129 provides that the mayor may issue a permit to a licensed retail package wine dealer or licensed wine wholesaler to hold a wine tasting which shall allow the applicant to provide samples of wine to the public for consumption at a location which meets legal requirements for on-premises consumption for a period not to exceed two days, and that the City may issue no more than two such wine tasing events in any one year; and

WHEREAS, the Alcohol Code at Sec. 10-127, which concerns temporary permits related to approved outdoor festivals, and which should properly reference the City Code provisions related to outdoor festivals, currently and improperly references certain City of Atlanta Code of Ordinances, (City Code) provisions related to City Hall; and

WHEREAS, the Atlanta Alcohol Technical Advisory Group III, whose final report was presented to Atlanta City Council in August 2023, recommended revisions to the Alcohol Code to align the City's regulations applicable to temporary alcohol permits issued to bona fide nonprofit organizations with the state's regulations, to provide alignment between City's regulations related to temporary permits issued to bona fide nonprofit organizations, temporary permits issued to annual license holders, and temporary permits to allow for wine tastings, and to correct the City Code references in the provision related to temporary permits related to approved outdoor festivals; and

WHEREAS, accordingly, it is the desire of the Atlanta City Council to amend the Alcohol Code division related to special permits to allow the mayor to issue temporary permits authorizing bona fide nonprofit civic organizations to sell alcoholic beverages for consumption on the premises for a period not to exceed three days, to allow the mayor to issue no more than six temporary permits to annual license holders within any one calendar year, to allow the mayor to issue no more than six temporary permits to allow for wine tastings in any one calendar year; and to correct the City Code references in the provision related to temporary permits related to approved outdoor festivals.

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



SECTION 1: That Chapter 10, Article II, Division 3, (Special Permits), Section 10-126(a) of the City of Atlanta Code of Ordinances, concerning temporary permits for special events, is hereby amended such that it shall read as follows (with permanent additions in underline font and permanent deletions in strikethrough font):

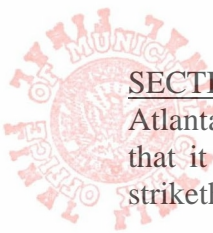
- (7) Each special event shall last a maximum of seven consecutive days, and no more than ~~two~~six special event permits shall be issued to any applicant in any calendar year.

SECTION 2: That Chapter 10, Article II, Division 3, (Special Permits), Section 10-127(a) of the City of Atlanta Code of Ordinances, concerning temporary permits for special events, is hereby amended such that it shall read as follows (with permanent additions in underline font and permanent deletions in strikethrough font):

- (i) Upon filing an application and payment of a fee of \$25.00 and after review by the license review board, the mayor may issue a permit authorizing a bona fide nonprofit civic organization to sell alcoholic beverages for consumption on the premises only, for a period not to exceed three days ~~one day~~, subject to any law regulating the time for selling such beverages.

SECTION 3: That Chapter 10, Article II, Division 3, (Special Permits), Section 10-127(a) of the City of Atlanta Code of Ordinances, concerning temporary permits related to approved outdoor festivals, is hereby amended such that it shall properly reference Chapter 142, Article V of the City of Atlanta Code of Ordinances, which concerns outdoor festivals, rather than Chapter 138, Article VI of the City of Atlanta Code of Ordinances which concerns City Hall such that thereafter it shall read as follows (with permanent additions in underline font and permanent deletions in strikethrough font):

- (i) Whenever an application is made for an outdoor festival permit pursuant to chapter ~~138, article VI~~142 article V, an application may be made pending approval of the festival permit for a special permit pursuant to this section to sell alcoholic beverages for on-premises consumption at a specified location and time in connection with such festival. The location and time specified must be at the place and time specified in the festival permit application. A special permit may be issued under this section only after the festival permit has been issued. Such permits may be issued to the following:
- (i) Any natural person holding a license from the city for on-premises consumption of alcoholic beverages simply by payment of the fee provided for in subsection (b) of this section, without further review or approval. Festival organizers may contract with any such license holder for this purpose.
- (2) Any natural person listed as one of the applicants or officers of an organization applying for an outdoor festival permit, provided such person shall comply with all other sections of this Code for the issuance of licenses for on-premises consumption of alcoholic beverages, including review by the license review board.



SECTION 4: That Chapter 10, Article II, Division 3, (Special Permits), Section 10-129(8) of the City of Atlanta Code of Ordinances, concerning temporary permits for wine tastings, is hereby amended such that it shall read as follows (with permanent additions in underline font and permanent deletions in strikethrough font):

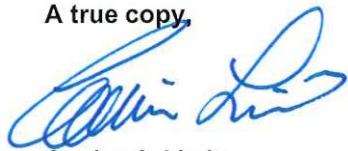
(8) No wine tasting shall last more than two days, and no applicant may hold more than ~~two~~
six
wine tastings in any calendar~~per~~-year.

SECTION 5: The amendments contained in this ordinance shall be effective immediately upon approval.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

SECTION 7: That the Municipal Clerk is instructed to retain all legislative history references in the codified version of the Chapter 10 of the City of Atlanta Code of Ordinances, including Editor's notes, and shall not delete any such references, but shall amend them to include this ordinance.

A true copy,



Corrine A. Lindo

Municipal Clerk

ADOPTED by the Atlanta City Council

JAN 06, 2025

APPROVED per City Charter Section 2-403

JAN 15, 2025