

PART I. – OFFICIAL CODE OF COBB COUNTY, GA

Chapter 6 – ALCOHOLIC BEVERAGES

ARTICLE I. – IN GENERAL

Section 6-1 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-1. – Definitions.

Approved container means a tamper evident container that:

(a) Does not contain openings or straw holes;

(b) Is sealed in a manner that is visibly apparent if the container has been subsequently opened or tampered with; and

(c) Has an affixed label or marking that identifies the licensee that prepared and sold the mixed drink.

Beer bomber means a glass bottle containing 22 U.S. ounces of craft or draft beer.

Brewery means a domestic manufacturer of malt beverages that is licensed by the state. Provided a license is issued as required by this chapter, a brewery is authorized to sell malt beverages by the package, by the drink and operate ~~flight tastings~~ tasting events on the premises of the brewery pursuant to appropriate state law, without additional license requirements, except as is required in chapter 78. A licensed brewery may fill customer provided containers, such as Growlers or Howlers for consumption off-premises so long as the container is sealed in the same manner as an approved container as defined above upon its furnishing or return to the customer.

Crowler means a sealed aluminum can containing 32 U.S. ounces of craft or draft beer filled from a tap and sealed at a licensed brewery.

Curbside pick-up means when a licensee delivers purchased goods to a customer's vehicle within a clearly designated pick-up area located within a paved parking area adjacent to the licensed premises.

Distance means the measurement in lineal feet from the center of any door of customer entry of the proposed premises of a licensee to the nearest property line of any church, library, school, ~~college~~, park, public housing, public hospital or private residence as defined in this section. A radius shall be measured from the center of any door of customer entry of the proposed premises of any licensee to the nearest property line of any church, library, school, ~~college~~, park, public housing, public hospital or private residence as defined in this section.

Distillery means a domestic manufacturer of spirituous liquors that is licensed by state. Provided a license is issued as required by this chapter, a distiller is authorized to sell spirituous liquors by the package, by the drink and operate tasting events on the premises of the distillery pursuant to appropriate state law, without additional license requirements, except as required in Chapter 78.

Flight means the service of several small samples of a single type of alcoholic beverage served at one time to an individual for a fee and intended to allow the sampling of different flavors.

Growler means a reusable glass, ceramic, or stainless-steel bottle or jug intended for the transport of craft or draft beer filled from a tap and sealed at a licensed brewery which shall not exceed 128 U.S. ounces.

Howler means a reusable glass, ceramic, or stainless-steel bottle or jug intended for the transport of craft or draft beer filled from a tap and sealed at a licensed brewery which shall not exceed 32 U.S. ounces.

Mixed drink means a beverage prepared by combining distilled spirits with nonalcoholic liquid or liquids and that:

(a) Is prepared on the day of sale by an employee of the licensee;

(b) Contains no more than 3 ounces of distilled spirits; and

(c) If sold for off-premises consumption, is sealed in an approved container.

Package means an alcoholic beverage bottled, canned, or otherwise assembled for retail sale by the bottle, box, can or case by a licensed manufacturer or wholesaler. As used in this section, the term package shall include crowlers, howlers, and growlers.

Sample means a small amount of any malt beverage, wine, or distilled spirits served as a single serving.

Tasting event means a scheduled event hosted by a licensee at which free samples may be provided and that may be open to the general public or limited by invitation.

ARTICLE III. – LICENSES

DIVISION 1. – GENERALLY

Section 6-87 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 6-87. - Keeping or storing alcoholic beverages.

It shall be unlawful for any person or licensee ~~operating places licensed for the sale of any alcoholic beverages~~ to keep, possess or store ~~at such licensed place of business~~ any alcoholic beverage without appropriate, valid and current state and local licenses for such beverage.

Section 6-104 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-104. –Reserved.

~~Sec. 6-104. – Display of license.~~

~~Each licensee for the sale of alcoholic beverages by the package at retail under this chapter shall have printed on the front window of the licensed premises the inscription, "Cobb County Retail License No. _____" in uniform letters not less than three inches in height. The license itself shall be prominently displayed so as to be visible to the public inside the premises.~~

DIVISION 3. – FEE, SUSPENSION, REVOCATION OR TRANSFER

Section 6-147 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Sec. 6-147. – Procedure for fee, suspension and revocation.

- (a) It is determined that the following are violations:
 - (1) When for any single offense, a licensee or anyone in the employ of the business holding the license is charged with, arrested for, or convicted of selling alcoholic beverages to an underage person or persons or on Sunday without necessary Sunday sales license; or
 - (2) When for any single offense, a licensee or anyone in the employ of the business holding the license is charged with, arrested for, or convicted of selling alcoholic beverages to an intoxicated person pursuant to O.C.G.A. § 3-3-22.
- (b) The police department shall notify the business license division manager of any violation of section 6-147(a).
- (c) Upon notice of a violation of section 6-147(a), the business license department shall notify the license holder of the pending suspensions as follows:
 - (1) First offense—One day suspension;
 - (2) Second offense occurring within the 12-month period immediately preceding the violation—Three (3) day suspension;
 - (3) Third offense occurring within the 12-month period immediately preceding the violation—Seven (7) day suspension;
 - (4) Fourth offense occurring within the 12-month period immediately preceding the violation—Ten (10) day suspension;

Such notice to the licensee shall also provide rights of appeal and other rights under this section.
- (d) The license holder that has been provided notice of a violation of section 6-147(a) may, within ten days of receipt of notice, appeal the suspension set out in subsection (c) of this section and request a hearing by the license review board which will be set down within 60 days of request for appeal. The hearing shall proceed as any due cause hearing and the board may consider mitigating and aggravating circumstances in reaching its determination.
- (e) Pursuant to section 6-147(d), if at any time, the business license department becomes aware of a fifth or subsequent violation of section 6-147(a), the matter shall be set down for hearing by the license review board.
- (f) For businesses with multiple physical locations under a single licensee, the suspension periods in section 6-147(c) are imposed per physical location.
- (g) No alcoholic beverage license which has been issued or which may hereafter be issued shall be suspended or revoked except for due cause as defined in this section, after a hearing and upon written notice to the holder of such license of the time, place and purpose of such hearing and a statement of the charge or charges upon which such hearing shall be held.
 - (1) Once the business license manager becomes aware of any reason for a possible suspension or revocation, he/she shall place the matter for hearing by the license review board. A minimum of three days' notice of the hearing date shall be provided to the licensee.
 - (2) Due cause for the suspension or revocation of such license shall consist of one or more of the following:

- a. The violation of any laws or ordinances regulating such business or for the violation of any state or federal law;
 - b. Any change in the area where such business is located, which change is deemed by the board of commissioners to cause such business in such area to be undesirable;
 - c. Any reason which would authorize the board of commissioners to refuse the issuance of a license;
 - d. Any violation of this chapter;
 - e. A determination by the Business License Division or the Police Department that the applicant for the license was used as a guise or dummy for a person prohibited by this chapter from obtaining such license; or
 - f. A second offense of any violation of section 6-147(a).
- (3) Due cause hearing. The license review board at such hearing shall hear evidence of the circumstances of the possible due cause and after said hearing may recommend that the license to sell alcoholic beverages be suspended for a maximum of 12 months or revoked. The license review board, and the board of commissioners, if applicable, may consider mitigating and aggravating circumstances in considering sanctions, including but not limited to, attendance of a responsible alcohol sales and service (RASS) workshop, implementation and components of written policies, that employees have or do not have alcoholic beverage work permits, implementation and results of mystery shopper program, implementation and components of a training program, number of violations of business, number of violations of licensee, number of stores, length of time in business, compliance check was due to a complaint, identification was not checked, and any other facts deemed relative by the fact finder.
- (4) Affirmation by board of commissioners. If the license review board recommends suspension or revocation and the owner of the alcoholic beverage license, the licensee or both should fail to appeal such suspension or revocation recommendation, then the suspension or revocation shall become effective upon affirmation by the board of commissioners of such suspension or revocation recommendation and the owner of the alcoholic beverage license and the licensee shall be deemed to have acquiesced to such suspension or revocation. The board of commissioners shall, within 60 days of the license review board action, review a summary of the hearing before the license review board wherein the alcoholic beverage license was considered for suspension or revocation (the summary shall be prepared by the business license division manager) and the board of commissioners after such review may place the matter down for a hearing or affirm or alter the decision of the license review board. Should the board of commissioners place the matter down for hearing, the board of commissioners may suspend, for a maximum of 12 months, or revoke the alcoholic beverage license.
- (5) Appeal.
- a. In the event the license review board recommends that the alcoholic beverage license be suspended or revoked, the owner of the alcoholic beverage license, the licensee or both may file an appeal with the business license division manager of such recommendation within ten days to the board of commissioners. The board of commissioners shall conduct a de novo review and any additional evidence may be presented at the appeal hearing.

- b. If a hearing occurred before the board of commissioners, such decision is final unless appeal is made to the superior court of the county. Any aggrieved party may appeal a decision of the board of commissioners by filing a petition for writ of certiorari to the superior court within 30 days of the decision of the board of commissioners.
- (h) In all hearings held pursuant to this section, the proceedings shall be as informal as compatible with justice, the hearing shall be expedited and normally shall not exceed 30 minutes in length, and the following procedures shall prevail:
 - (1) The charges and specifications against the licensee and the response as filed by the licensee shall be read.
 - (2) The county representative shall present evidence, and then the licensee shall present his evidence, with opportunity for each party to present rebuttal evidence, examination and cross examination of witnesses, and interrogation by the board of commissioners. No evidence shall be presented which is not relevant to the charges.
- (i) In the event a license to sell alcoholic beverages is suspended a sign issued by the business license office shall be placed at each entrance to the facility wherein alcoholic beverages were sold with the sign providing, "THE LICENSE TO SELL ALCOHOLIC BEVERAGES ISSUED TO THE OWNER AND LICENSEE OF THIS BUSINESS HAS BEEN SUSPENDED FROM _____ TO _____ AS A RESULT OF SELLING ALCOHOLIC BEVERAGES TO AN UNDERAGE PERSON, AN INTOXICATED PERSON OR AN UNAUTHORIZED SUNDAY SALE." In the event a license to sell alcoholic beverages is revoked a sign issued by the business license office shall be placed at each entrance to the facility wherein alcoholic beverages were sold with the sign providing, "THE LICENSE TO SELL ALCOHOLIC BEVERAGES ISSUED TO THE OWNER AND LICENSEE OF THIS BUSINESS HAS BEEN REVOKED AS A RESULT OF SELLING ALCOHOLIC BEVERAGES TO AN UNDERAGE PERSON, AN INTOXICATED PERSON OR AN UNAUTHORIZED SUNDAY SALE." The sign shall stay in place for the period of suspension or in the case of a revocation for a period of 30 days.

ARTICLE IV. – OPERATING REGULATIONS FOR LICENSED ESTABLISHMENTS

DIVISION 1. – GENERALLY

Section 6-176 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-176. – Sale or delivery to unlicensed premises or unlicensed caterers and distilled spirits to go.

(a) A packaged goods retailer may deliver malt beverages, wine and distilled spirits in unbroken packages lawfully sold to and purchased by an individual for personal use and not for resale to an address designated by such individual subject to the requirements of O.C.G.A. 3-3-10 and any other applicable state law.

~~(b) It shall be unlawful for any licensee under this chapter to allow the sale or delivery of any alcoholic beverage by the drink to any area other than the premises covered by the license. Any restaurant which is licensed to sell distilled spirits for consumption on the premises may sell mixed drinks for off-premises consumption in approved containers, provided that such mixed drinks are:~~

(1) Sold to an individual 21 years of age or older who shall be limited to two mixed drinks per entree ordered;

(2) Accompanied by a food order and a sales receipt with a time stamp that indicates the date and time of such purchases;

(3) Sold for personal use and not for resale and picked up in person by the same individual customer to whom the mixed drinks and entrees were sold and from whom the restaurant received payment; provided, however, that such individual customer shall not include a delivery service or third-party agent; and

(4) Furnished with the accompanying food order to the customer on the premises or by way of curbside pick-up.

(5) If transported in a motor vehicle, the customer shall transport the mixed drink in accordance with O.C.G.A. § 3-3-11.

(6) Sales of mixed drinks for off-premises consumption shall be taxed in accordance with O.C.G.A. § 3-4-130 through 3-4-133.

(c) It shall be unlawful for unlicensed individuals or caterers to sell alcoholic beverages.

(d) Notwithstanding the provisions of subsection (b), The Cobb Coliseum and Exhibit Hall Authority, as alcoholic beverage licensee, may sell and deliver alcoholic beverages by the drink and package to the garden area between 1 Galleria Parkway, 100 Galleria Parkway, 200 Galleria Parkway and 300 Galleria Parkway, commonly known as the Galleria garden, or any other property owned or controlled by the Cobb Coliseum and Exhibit Hall Authority. Sales by the package will only be allowed during special and temporary events approved by the Cobb County Business License Division Manager.

DIVISION 3. – EMPLOYEES

Section 6-206 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-206. – Employment of persons with prior convictions.

(a) No licensee shall employ, for compensation or otherwise, in any premises for the sale of alcoholic beverages, or the operation of a bottle house under this chapter, any person in a capacity requiring a work permit as defined in section 6-207 who meet any of the following:

- Is not a citizen of the United States, not an alien admitted for permanent residence, or does not otherwise possess employment authorization from the United States Citizenship and Immigration Services;
- ~~Is not an alien admitted for permanent residence;~~
- ~~Is not a person who has otherwise been granted employment authorization by the United States Citizenship and Immigration Services;~~
- Any person who has been convicted within five years immediately prior to the application for employment of the following:

- Any felony;
 - Two or more convictions of driving under the influence;
 - Two or more convictions of possession, consumption, or attempt to purchase alcohol by an underage person;
 - One or more under 21 DUIs;
 - Any conviction relating to the sale or furnishing of alcoholic beverages to an underage person;
 - Any conviction relating to the unlawful possession, use or manufacturing of an authentic or fraudulent driver's license or ID; or
 - Any person on parole, probation, or convicted and released from incarceration, for any sexual related crimes, including but not limited to child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. § 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. § 42-1-12.
- (b) The omission or falsification of any material information in an application for an alcoholic beverage permit shall be a violation of this chapter and grounds for the denial, suspension or revocation of any such permit; however, any employees excluded from employment under the terms of this section shall have the right to appeal such exclusion to the license review board.
- (c) Section 6-206 shall not apply to private clubs as defined in this chapter.

Section 6-207 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-207. – Work permits.

- (a) *For whom required.* It is the responsibility of the licensee and designee as stated in section 6-92(g) to ensure that the employees required under this Code section obtain and possess the required work permit issued by the county police department prior to working. Employees for the purposes of this section shall include independent contractors. Failure of an employee to possess a work permit while selling or serving alcoholic beverages, as required by this section, shall be unlawful and will subject the employee and licensee to prosecution as provided in this chapter and shall be grounds for suspension or revocation of the license. A permit to work in any of the following establishments shall be required of the following:
- (1) All employees of package stores.
 - (2) All employees of convenience stores.
 - (3) All employees of businesses with a pouring license who serve or sell alcohol, which shall include waitresses, waiters, and bartenders.
 - (4) In all businesses for which an alcohol license has [been] issued, except as provided in section 6-207(b), all managers, employees serving in a managerial capacity, and any employee providing security whether or not any such persons sell or serves alcohol.
- (b) *Not required.* A work permit is not required of the following:
- (1) The licensee to whom an alcoholic beverage license has been issued under this chapter.
 - (2) An approved substitute licensee, as approved by the business license division.

- (3) Any person authorized by law to serve alcoholic beverages and is working at a temporary, non-profit fundraising event for which an alcoholic beverage license has been issued under this chapter.
 - (4) Any person authorized by law to serve alcoholic beverages and is working at a temporary trade show event for which a temporary alcoholic beverage license has been issued under this chapter.
 - (5) Any peace officer employed by the licensee for security, so long as the officer is certified by the Georgia Peace Officer Standards and Training Council, possesses arrest powers under the laws of this state, and is actively employed by a recognized public law enforcement agency.
- (c) *Application, issuance, denial.* Except as otherwise provided, no person requiring a work permit may be employed by an establishment holding a license under this chapter until such person has been issued a work permit from the county police department indicating the person is eligible for employment. All applications required by this section shall be filed with and investigated by the police department, and such investigation shall include, among other things, an investigation of the criminal record, if any, of the applicant. No work permit shall be issued by the police department if the applicant has violated any of the provisions of section 6-206 hereof. Any applicant who is denied an alcoholic beverage work permit shall have the right to appeal such decision to the license review board. Appeals to the license review board regarding the denial of an alcoholic beverage work permit must be filed with the business license division within 30 days of the denial. After a hearing, the license review board may approve or deny the work permit. The decision shall be final unless appealed in accordance with 6-207(i). In addition, after the hearing, the license review board may approve or recommend to the board of commissioners approval of a work permit to an employee whose application was originally denied based upon any conditions deemed appropriate by the license review board, pursuant to section 6-207(i). Denied applicants who fail to file a timely appeal shall not be authorized to reapply for an alcoholic beverage work permit for 12 months from the date of the denial.
- (d) *Training of permit holders.*
- (1) Licensees are required to provide ~~information~~ training to all permit holders on provisions of the law of this state and ordinances regarding the sale of alcoholic beverages to intoxicated and underage persons and the penalties for violating such laws and ordinances within 10 days of employment.
 - (2) Licensees shall provide ~~regular information, annual training regarding~~ company alcohol sale/service policies, state laws and county ordinances, and training to all permit holders on the methods, procedures and measures to be taken in order to request, obtain and examine proper identification of patrons to be certain that such patrons are of legal age to purchase alcoholic beverages. Training shall include the methods, procedures and measures to be taken in order to refuse sale/service to underage or intoxicated patrons. Training shall provide permit holders with the opportunity to demonstrate and practice skills required in order to comply with company policies for responsible alcohol sale/service. Training shall include a discussion of how permit holder's alcohol sale/service practices shall be monitored and enforced by management as well as law enforcement. Training shall include a discussion of the management and law enforcement consequences for violations. Training shall include a pre/posttest to determine whether training objectives were met and by whom. Evidence of such training records shall be made available upon request for inspection by the county Police Department or Business License Division.

- (3) Detailed records of such training, including the content, date, time, persons attending and copy of any ~~pre/post test~~ post test(s), shall be maintained for a minimum of 36 months after the training. Evidence of such training records shall be made available upon request for inspection by the county Police Department or Business License Division.
- (4) The failure of the licensee to comply with this subsection regarding the training of permit holders shall be grounds for due cause to suspend and/or revoke the license to sell alcoholic beverages.
- (e) *Permit term and physical characteristics.* ~~Any~~ A work permit issued under this section shall contain the permit number issued by the county Police Department, the permit holder's first and last name, a photograph of the permit holder and contain security features to inhibit unauthorized duplication. Permits shall expire 12 months from the date of issuance unless earlier suspended or revoked as provided in this section. Nothing herein shall prohibit the Police Department from issuing temporary permits, for a period not to exceed 30 days, when the applicant is unable to appear in order to be photographed, or as otherwise necessary for the Police Department to complete a thorough background investigation of the applicant.
- (f) *Possession of permits by employees.* Employees holding permits issued pursuant to this section shall at all times during their working hours have the permits available for inspection.
- (g) *Exclusion.* This section shall not apply to private clubs.
- (h) *Work permit requirement.* At all times that the business is open the licensee shall have at least one person on the premises who has a valid work permit.
- (i) *Grounds for suspension, revocation.* No permit which has been issued or which may hereafter be issued under this section shall be suspended or revoked except for due cause as defined in this subsection, and after a hearing and upon written notice to the holder of such permit of the time, place and purpose of such hearing and a statement of the charge or charges upon which such hearing shall be held. A minimum of three days' notice shall be provided to the applicant or permit holder. "Due cause" for the suspension or revocation of the permit shall consist of the violating of any laws or ordinances regulating the sale of alcoholic beverages or for the violation of any state, federal or local ordinances set out in section 6-206; or for the omission or falsification of any material in any application; or for any reason which would authorize the refusal of the issuance of a permit; or any violation of this chapter. All hearings shall be before the license review board and shall be conducted in the manner provided in section 6-147.

After the hearing, the license review board may decide to:

- (1) Approve the work permit by an affirmative vote by a supermajority of the license review board. In such cases, the approval shall be final;
- (2) Approve the work permit by an affirmative vote of less than a supermajority of the license review board. In such cases the board of commissioners shall, within 60 days of the license review board's decision, review a summary of the appeal or show cause hearing before the license review board wherein the work permit was considered for issuance and the board of commissioners after such review will either concur with recommendations of the license review board or choose to place the matter down for a hearing; or
- (3) Deny, suspend or revoke the work permit, when it is determined that due cause exists. The employee whose work permit was denied, suspended, or revoked may appeal the license review board decision to the board of commissioners. The board of commissioners shall, within

60 days of the license review board's decision, review a summary of the appeal or show cause hearing before the license review board wherein the work permit was considered for issuance, suspension or revocation (the summary shall be prepared by the business license division manager) and the board of commissioners after such review will either concur with recommendations of the license review board or choose to place the matter down for a hearing.

Should the board of commissioners place the matter down for hearing the board of commissioners, after such hearing, may issue or deny the work permit, or suspend or revoke the work permit. After the final determination by the license review board or board of commissioners, a representative of the business license office will notify the Cobb County Police Department Permits Unit of the decision. If the permit was approved for issuance, the Cobb County Police Department Permits Unit will notify the applicant that the permit has been approved. The employee whose work permit was not issued or whose work permit was denied, probated, suspended or revoked may appeal the board of commissioners' decision pursuant to section 6-147 hereof. The decision of the board of commissioners may be appealed by filing a petition for writ of certiorari to the Superior Court of Cobb County within 30 days of the decision of the board of commissioners.

- (j) Notwithstanding any of the provisions in this section, any permits issued through administrative error or an error in the completion of a background investigation may be terminated by the director of public safety or his/her designee.

Section 6-209 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-209. – List of employees to be filed with county.

Within 72 hours of employment, it shall be the duty of all licensees under this division to file with the county, through the Police Department and Business License Division, the names of all employees required to possess a work permit under Sec. 6-207, and their date of birth, home address, phone number, place of employment, their duties and services performed, and any other descriptive information that the Business License Division or Police Department may require in its investigation of the establishment and its employees. All changes in information shall be filed, in writing, via email or the online portal, by the licensee within 72 hours of the change.

Section 6-209210 –6-220. -Reserved.

DIVISION 5. – ON-PREMISES CONSUMPTION

Section 6-236 of the Official Code of Cobb County, Georgia, is amended to read as follows:

Section 6-236. – Pricing of alcoholic drinks.

- (a) This section shall be construed to cover, include and apply to every type of alcoholic beverages licensed to be sold in the county, including beer, wine, malt beverages and spirituous liquors.
- (b) Each licensee under this chapter shall maintain a daily schedule of the prices to be charged for all alcoholic beverages to be served and consumed on the licensed premises or in any room or part

thereof. The licensee shall not vary the prices from hour to hour within a single day. The schedule of prices shall be maintained in a manner so as to be available to the paying public and law enforcement officers or agents of governmental authority. Such schedule shall be effective for not less than a 24-hour period beginning at 12:01 a.m. and ending at midnight and shall show thereon the date for which the schedule is effective.

- (c) No licensee or holder of any license to sell alcoholic beverages for consumption on the premises or in any part thereof, or employee or agent of a licensee, shall:
- (1) Offer or deliver any free alcoholic beverage to the general public. This subsection shall not apply to tasting rooms of farm wineries, distilleries, or breweries where wine, spirituous liquors, and malt beverages are offered in a quantity to only taste the product or for persons in compliance with appropriate state law and section 6-131 of this chapter.
 - (2) Deliver more than two alcoholic beverages to one person at one time or allow any patron to possess more than two alcoholic beverages at one time. The sale or service of flights of alcoholic beverages shall be permitted provided that a single flight does not exceed six (6) individual servings, subject to the following limitations:
 - (A) Individual servings of beer and malt beverages in a flight shall not exceed five (5) fluid ounces;
 - (B) Individual servings of wine in a flight shall not exceed three (3) fluid ounces; and
 - (C) Individual servings of spiritous liquors in a flight shall not exceed one-half (0.5) fluid ounce.
 - (3) Sell, offer to sell, or deliver to any person or group of persons any alcoholic beverage at a price less than the price regularly charged for such alcoholic beverage during the same 24-hour period for which the price schedule required by this section is in effect, except at private functions not open to the public.
 - (4) Sell, offer to sell, or deliver to any person or group of persons two or more or an unlimited number of alcoholic beverages during any set period of time at a fixed price, except at private functions, not open to the public.
 - (5) Sell, offer to sell, or deliver alcoholic beverages, by the pitcher or carafe, except to two or more persons at any one time.
 - (6) Increase the volume of alcohol contained in a drink without increasing proportionately the price regularly charged for such alcoholic beverage during the same 24-hour period for which the price schedule required by this section is in effect.
 - (7) Encourage or permit on the licensed premises any game or contest or promotion which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize.
 - (8) Sell two or more alcoholic beverages for a price substantially the same as is charged for one such alcoholic beverage.
 - (9) Require or encourage the purchase of a second or subsequent alcoholic beverage at the same time another alcoholic beverage is purchased.
 - (10) Knowingly allow an alcoholic beverage purchased on the premises to be removed from the premises, except as provided in O.C.G.A. § 3-6-4 and O.C.G.A. § 3-3-11, without having been consumed. "Premises," for the purpose of this subsection, shall be construed to mean the

entire area under the supervision, management or control of the licensee, excluding areas for parking of motor vehicles; a patio shall be part of the premises only when the patio is in compliance with the zoning ordinance and zoning of the location. The patio must be in compliance with the building and fire and life safety code. In the case of licensees whose licensed location is located on a portion of the premises of club, organization, establishment or entity offering outdoor recreation (for instance, golf or tennis), the word "premises" shall extend to cover all areas operated as a part of the club or entity excluding areas for parking of motor vehicles.

- (d) There shall be no advertisement or promotion in any way, whether within or without the licensed premises, of any of the practices prohibited under this section.
- (e) No provision of this section shall be construed to prohibit licensees from offering free food or entertainment at any time, or to prohibit licensees from including an alcoholic beverage as a part of a meal package; however, this subsection shall not be construed to allow a licensee to circumvent the intent of this section by offering meals which include an alcoholic beverage as a device or scheme to promote drink sales at a price per beverage less than the daily listed price.