

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Alcohol Beverage Ordinance Amendment

READING AND ADOPTION: August 16, 2016

At the regular meeting of the Gwinnett County Board of Commissioners held in the Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte Nash, Chairman	Yes	Yes
Jace Brooks, District 1	Yes	Yes
Lynette Howard, District 2	Yes	Yes
Tommy Hunter, District 3	Yes	Yes
John Heard, District 4	Yes	Yes

On motion of **Commissioner Hunter**, which carried **5-0**, the Gwinnett Board of Commissioners hereby amends Article I of Chapter 6 of the Gwinnett County Code of Ordinances, entitled "Alcoholic Beverages" by inserting new subsection 6-34.1, entitled "Special Provisions in the Gwinnett Entertainment District" and new subsection 6-34.2, entitled "Special Provisions at a super-regional shopping destination" in Article I of Chapter 6 of the Gwinnett County Code of Ordinances.

WHEREAS, the Gwinnett County Alcoholic Beverage Ordinance was adopted by the Gwinnett Board of Commissioners on September 16, 1986 regulating the sale and consumption of alcoholic beverages within Gwinnett County; and

WHEREAS, since its adoption, the Gwinnett County Alcoholic Beverage Ordinance last amended in 2012; and

WHEREAS, the Board of Commissioners recognizes that many jurisdictions have begun authorizing outside consumption of alcoholic beverages in certain locations; and

WHEREAS, the Board of Commissioners desires to adopt reasonable regulations authorizing the outside consumption of alcoholic beverages at certain locations and types of

developments while protecting the public health, safety, and welfare of the County and its residents; and

WHEREAS, the Board of Commissioners finds that the following amendments to the Alcoholic Beverage Ordinance promote the health, safety, convenience, order, prosperity, and welfare of the present and future inhabitants of Gwinnett County; and

WHEREAS, the Board of Commissioners finds that the adoption of new subsections 6-34.1 and 6-34.2 is in the best interest of Gwinnett County and its residents, visitors, and workers.

NOW, THEREFORE, BE IT ORDAINED that the Gwinnett County Board of Commissioners hereby amends Article I of Chapter 6 of the Gwinnett County Code of Ordinances, entitled "Alcoholic Beverages" by inserting new subsection 6-34.1, entitled "Special Provisions in the Gwinnett Entertainment District" and new subsection 6-34.2, entitled "Special Provisions at a super-regional shopping destination" in Article I of Chapter 6 of the Gwinnett County Code of Ordinances as set forth in Exhibit A which is attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this ordinance shall be effective upon adoption.

BE IT FURTHER RESOLVED that all ordinances, regulations or parts of the same in conflict with this Resolution are hereby rescinded to the extent of said conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: Charlotte J. Nash
Charlotte J. Nash, Chairman

Date Signed: 8/23/16

ATTEST:

By: Diane Kemp
Diane Kemp, County Clerk



Ordinance Number ABO-2016-001
GCID: 2016-0743

APPROVED AS TO FORM:

By: Theresa A. Cox
Theresa Cox, Senior Assistant County Attorney

EXHIBIT A

CHAPTER 6 – ALCOHOLIC BEVERAGES

Article I – In General.

Article I of Chapter 6 of the Gwinnett County Code of Ordinances is hereby amended by inserting the following new subsections in Article I after subsection 6-34.

Sec. 6-34.1. – Special Provisions in the Gwinnett Entertainment District.

- (a) The provisions of this article are intended to set forth certain exception and provisions applicable only to licensees whose establishments are located within the Gwinnett Entertainment District (as hereinafter defined) holding licenses to sell alcoholic beverages for consumption on the premises. Except as specifically set forth in this section, all such licensees remain subject to all other provisions of this Chapter.
- (b) As used in this subsection, the term “Gwinnett Entertainment District” shall mean the buildings and property currently known as the Infinite Energy Center, including any future development as envisioned on the Infinite Energy Center Master Plan 2015.
- (c) Outside consumption of alcoholic beverages by the drink shall be permitted within the Gwinnett Entertainment District in areas approved by the County only under the following conditions:
 - (1) Any licensee who desires to sell alcoholic beverages for outside consumption within the Gwinnett Entertainment District must possess an alcoholic beverage license in good standing with Gwinnett County and the State of Georgia.
 - (2) Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense beer and/or wine in a clear plastic cup with the vendor’s logo or name imprinted thereon for consumption outside in the designated area(s). Dispensing beer and/or wine in a can, bottle, or glass container for consumption outside in the designated area(s) is prohibited.
 - (3) No establishment shall dispense to any person more than one (1) drink at a time for consumption outside within the Gwinnett Entertainment District.
 - (4) No container in which beer and/or wine is dispensed for consumption in the designated area(s) shall exceed sixteen (16) fluid ounces in size.
 - (5) No alcoholic beverages shall be sold and/or consumed outside within Gwinnett Entertainment District except within the authorized hours of sale of the establishment where purchased.
 - (6) Food must be served during any period of time that alcoholic beverages are served. A licensed establishment shall maintain the correct ratio of food to alcoholic beverage sales.
- (d) The following additional regulations shall be adhered to:

- (1) Every area where beer and/or wine is consumed outside shall be conspicuously posted at all times at each point of entrance/exit with signs stating the following: "The possession of alcoholic beverages beyond this point is prohibited." The letters of such signs shall not be less than three (3) inches in height and one-half (1/2) inch in width and shall be in black letters on a contrasting light background.
 - (2) The possession of any open can, bottle, or glass container of beer and/or wine for outside consumption within the Gwinnett Entertainment District is prohibited.
 - (3) The possession of container of beer and/or wine for outside consumption within the Gwinnett Entertainment District exceeding sixteen (16) ounces is prohibited.
 - (4) The consumption of alcoholic beverages in the parking lot is prohibited.
 - (5) It shall be unlawful for patrons of the Gwinnett Entertainment District to furnish any alcoholic beverage to any person outside of the area where consumption is permitted.
- (e) Nothing in this section shall relieve applicants from complying with all other provisions of this chapter and state law.

Sec. 6-34.2. – Special Provisions at a super-regional shopping destination.

- (a) The provisions of this article are intended to set forth certain exception and provisions applicable only to licensees whose establishments are located within the super-regional shopping destination (as hereinafter defined) holding licenses to sell alcoholic beverages for consumption on the premises. Except as specifically set forth in this section, all such licensees remain subject to all other provisions of this Chapter.
- (b) As used in this subsection, the term "super-regional shopping destination" shall mean retail facility having more than 1.5 million square feet of retail and a minimum 50,000 square foot courtyard/amphitheater.
- (c) Any entity licensed to sell alcoholic beverages for on premises consumption directly adjacent to the courtyard/amphitheater of a super-regional retail destination may sell beer and/or wine for consumption outside in the super-regional retail destination's courtyard/amphitheater in areas approved by the County under the following terms and conditions:
 - (1) The owner must submit a plan and obtain approval from the Department of a plan showing the areas wherein the consumption of alcoholic beverages outside shall be allowed. A licensee may not sell alcoholic beverages unless such plan has been approved. The plan shall include plans for signage and security.
 - (2) Any licensee who desires to sell alcoholic beverages for outside consumption within the courtyard/amphitheater must possess an alcoholic beverage license in good standing with Gwinnett County and the State of Georgia.
 - (3) Any establishment licensed to sell alcoholic beverages by the drink for consumption on the premises is authorized to dispense beer and/or wine in a clear plastic cup with the vendor's logo or name imprinted thereon for consumption outside in courtyard/amphitheater only. Dispensing beer and/or

wine in a can, bottle, or glass container for consumption outside in the courtyard/amphitheater is prohibited.

- (4) No establishment shall dispense to any person more than one (1) drink at a time for consumption outside within the courtyard/amphitheater.
 - (5) No container in which beer and/or wine is dispensed for consumption in the courtyard/amphitheater shall exceed sixteen (16) fluid ounces in size.
 - (6) No alcoholic beverages shall be sold and/or consumed outside within courtyard/amphitheater except within the authorized hours of sale of the establishment where purchased.
 - (7) Food must be served during any period of time that alcoholic beverages are served. A licensed establishment shall maintain the correct ratio of food to alcoholic beverage sales.
- (d) The following additional regulations shall be adhered to:
- (1) Every area where beer and/or wine is consumed outside shall be conspicuously posted at all times at each point of entrance/exit with signs stating the following: "The possession of alcoholic beverages beyond this point is prohibited." The letters of such signs shall not be less than three (3) inches in height and one-half (1/2) inch in width and shall be in black letters on a contrasting light background.
 - (2) The possession of any open can, bottle, or glass container of beer and/or wine for outside consumption within the courtyard/amphitheater is prohibited.
 - (3) The possession of container of beer and/or wine for outside consumption within the courtyard/amphitheater exceeding sixteen (16) ounces is prohibited.
 - (4) The consumption of alcoholic beverages in the parking lot is prohibited.
 - (5) It shall be unlawful for patrons of the super-regional shopping destination to furnish any alcoholic beverage to any person outside of the courtyard/amphitheater where consumption is permitted.
- (e) Nothing in this section shall relieve applicants from complying with all other provisions of this chapter and state law.