

AN ORDINANCE TO AMEND CHAPTER 3, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN, GEORGIA TO PROVIDE FOR THE REGULATION OF THE SALE AND POSSESSION OF ALCOHOLIC BEVERAGE LICENSES; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES

WHEREAS, it has been determined that certain changes are necessary in the text of Chapter 3, Alcoholic Beverages, of the Code of Ordinances of the City of Newnan to provide for the regulation of sale and possession of alcoholic beverages licenses in the City.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED by the City Council of the City of Newnan, Georgia, and it is hereby ordained by the authority of same:

Section I: Regulation of sales and consumption of alcoholic beverages of Chapter 3, Alcoholic Beverages, be and is hereby amended by providing for the regulation of the sale and possession of alcoholic beverages in the City of Newnan in certain establishments holding a private special event license by adding a new Section 3-20(k) Establishments Holding A Private Special Event to read as follows:

Section 3-20(k). Establishments Holding A Private Special Event.

Notwithstanding the provisions of Section 3-81(a) and Section 3-20(f) of this Chapter, an establishment holding a private special event license which has on its premises a fully operational commercial kitchen facility and is capable of providing the level of food service that would be available at a restaurant, open to the public, would be required to provide, may apply for either an on premises consumption distilled spirits license and/or beer and/or wine license for sales of alcoholic beverages for consumption on the premises for service only at the establishment holding the private special events license, provided that sales of food make up 55% or more of the combined food and alcoholic beverages sales as provided in Section 3-81(a) of this Chapter and the other provisions of this Chapter where applicable. Further, all other provisions of Article IV. Regulations of Sales By The Drink of this Chapter shall apply including the reporting and taxation requirements of Article VII, Taxation of Beverages By The Drink of this Chapter. The license fees set out in the Section 3-31 shall apply to a license issued under this Section.

Section II. Regulation of sales and consumption of alcoholic beverages of Chapter 3, Alcoholic Beverages, be and is hereby amended by providing for the regulation of the sale and possession of alcoholic beverages in the City of Newnan in independent living facilities and/or an assisted living facility by adding a new Section 3-99 Independent Living Facilities and/or Assisted Living Facilities to read as follows:

Section 3-99. Independent Living Facilities and/or Assisted Living Facilities.

Notwithstanding the provisions of Section 3-81(a) of this Chapter, an independent living facility and/or an assisted living facility as defined in the City of

Newnan Zoning Ordinance operating a full service commercial kitchen and dining facility for its residents as a restaurant, open to the public, would be required to have may apply for either an on premises consumption distilled spirits license and/or beer and/or wine license for sales of alcoholic beverages for consumption on the premises for service only at such establishment's dining facility provided that sales of food make up 55% or more of the combined food and alcoholic beverages sales as provided in Section 3-81(a) of this Chapter. Further all other provisions of Article IV, Regulations of Sales By The Drink of this Chapter and the other provisions of this Chapter where applicable shall apply as well as the reporting and taxation requirements of Article VIII, Taxation of Beverages By The Drink of this Chapter. The fees set out in Section 3-31 shall apply to a license issued under this Section.

Section III. Should any phrase, clause, sentence, or section of this Ordinance be deemed unconstitutional by a Court of competent jurisdiction, such determination shall not affect the remaining provisions of this Ordinance, which provisions shall remain in full force and effect.

Section IV. The effective date of this Ordinance shall be upon adoption.

DONE, RATIFIED and PASSED, by the City Council of the City of Newnan, Georgia, this the 8th day of OCTOBER, 2019, in regular session.

ATTEST:

Della Hill
Della Hill, City Clerk

L. Keith Brady
L. Keith Brady, Mayor

Cynthia E. Jenkins
Cynthia E. Jenkins, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr.
C. Bradford Sears, Jr., City Attorney

George M. Alexander
George M. Alexander, Councilmember

Cleatus Phillips
Cleatus Phillips, City Manager

Raymond F. DuBose
Raymond F. DuBose, Councilmember

Rhodes H. Shell
Rhodes H. Shell, Councilmember

Dustin Koritko
Dustin Koritko, Councilmember

Paul Guillaume
Paul Guillaume, Councilmember