

AN ORDINANCE TO AMEND CHAPTER 3 OF THE PEACHTREE CITY CODE OF ORDINANCES TO PERMIT THE RETAIL CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE FREDERICK BROWN, JR. AMPHITHEATER UNDER CERTAIN CIRCUMSTANCES AND TO DEFINE THE TERM "PREMISES" AS USED IN THIS CHAPTER AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that the portion of Section 3.2 of the Peachtree City Code of Ordinances which defines "Premises" be deleted in its entirety and a new definition of "Premises" under Section 3.2 be added and Sections 3.5(c), 3.11(a), and 3.43 be deleted in their entirety and new Sections 3.5(c), 3.11(a), and 3.43 be added to read as follows:

Section 3.2 Premises: A definite enclosed area or other outside area with controlled ingress and egress wherein spirituous liquors, alcoholic beverages, malt beverages, or wine shall be sold and consumed, or sold therein by the package to be consumed elsewhere.

Section 3.5 Supporting Documents to be Filed with Application.

(c) A copy of a deed showing the applicant to be the owner of the premises for which the license is sought or a copy of a lease showing any interest the owner of the premises has and the business for which the license is sought. The applicant for a license for retail consumption dealer at the Frederick Brown, Jr. Amphitheater shall be required only to present a copy of the contract that he has to operate as a retail consumption dealer at the amphitheater.

Section 3.11 Time Limit for Commencement of Business in Licensed Establishment; Forfeiture for Non-Use

(a) All holders of licenses hereunder must within six (6) months after the issuance of said license open the establishment referred to in said license with the exception of the holder of any license for retail consumption at the Frederick Brown, Jr. Amphitheater who must open the establishment at the amphitheater during those events permitted under Section 15-7. If said license holder fails to open the licensed establishment or receive a time extension from the City Council within said six-month period or, in a case of the license holder for the amphitheater before the next event which would allow the sale of alcohol according to the terms of 15-7, the license shall be canceled and all fees forfeited.

Section 3.43. Removal of Alcoholic Beverages Dispensed on Premises.

Alcoholic beverages dispensed on the premises of a retail consumption dealer, in any type or size container, shall not be removed from the premises prior to consumption. All alcoholic beverages consumed on the premises of a retail consumption dealer shall be dispensed by that dealer with the exception of the Frederick Brown, Jr. Amphitheater where alcoholic beverages may be brought to the amphitheater by persons attending the activity where alcohol is permitted according to Ordinance 15-7.a

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Done, Ratified and Passed this 7th day of April, 1994.

Robert L. Lusk
Mayor
Edward D. Bradford
Pat J. Brown
Caroline L. Trise

Frances McAfee Attest:
City Clerk