

**COUNTY OF DADE
STATE OF GEORGIA**

ORDINANCE NO. 03 – 03 – 16

**AMENDMENT TO ALCOHOLIC BEVERAGES CONTROL ORDINANCE TO
PERMIT SALE OF MALT BEVERAGES AND WINE ON ELECTION DAYS**

WHEREAS, Article IX, Section 2, Paragraph 1 of the 1982 Constitution of the State of Georgia authorizes county governing authorities to enact laws controlling and regulating the sale of malt beverages and wine; and

WHEREAS, on February 3, 1995, the Dade County Board of Commissioners, as the county governing authority for Dade County, Georgia, did adopt ordinance O-2-95 (codified at Section 6-44 et seq., Dade County Code of Ordinances) regulating the sale of malt beverages and wine in Dade County; and

WHEREAS, the ordinance did restrict the election day sale of malt beverages or wine to only hours after the closing of election polls on county, state, and national election days; and

WHEREAS, subsequent changes to the Georgia Election Code have extended the voting periods for such elections to include early voting days, and have called into question the basis for the earlier election day restrictions; and

WHEREAS, other adjoining jurisdictions do not maintain such restrictions on the sale of malt beverages and wine on election days; and

WHEREAS, continuing the restrictions on the sale of malt beverages and wine on elections days does not appear to be needed or necessary.

NOW, THEREFORE, BE IT ENACTED by the Board of Commissioners of Dade County, Georgia, that Section 6-32 of the Dade County Code of Ordinances is hereby amended by deleting in full the existing Section 6-32, and replacing the deleted provisions of Section 6-32 with the following:

Section 6-32

No retail dealers shall engage in the sale of malt beverages or wine except between the hours of 6:00 a.m. and 12:00 midnight on weekdays and Saturdays, and shall not permit the sale of malt beverages or wine on Sundays, Christmas Day, or any day on which state law prohibits the sale of malt beverages or wine. All persons shall be off the premises of any package store by 12:00 midnight on weekdays and Saturdays, at which time such package store shall close for business. Grocery or convenience stores where the principal business is the sale of groceries and other like items and the sale of malt beverages or wine is incidental thereto may remain open during other hours but shall not sell malt beverages or wine except during the times and hours specified in this section.

All other provisions of Ordinance No. O-2-95, as amended, not expressly affected by this amendment shall remain in full force and effect. The amendment contained herein shall take effect immediately upon its passage.

PROPOSED AND FIRST READING took place on the 7th day of January 2016.

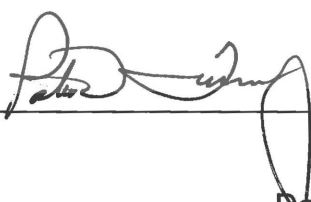
SECOND READING AND ADOPTION took place on the 4th day of February 2016.

**BOARD OF COMMISSIONERS
DADE COUNTY, GEORGIA**



BY: 
TED RUMLEY
Chairperson/County Executive

ATTEST:

BY: 
DON TOWNSEND
County Clerk
Dade County, Georgia

CLERK'S CERTIFICATE

I, Don Townsend, County Clerk of Dade County Board of Commissioners, do hereby certify that the foregoing Ordinance constitutes a true and correct copy of the Ordinance, adopted on January 7, 2016 and February 4, 2016, by the Dade County Board of Commissioners. After due notice was given in accordance with law; and the Commission being duly called and assembled, at which a quorum was present, the Dade County Board of Commissioners did adopt the attached Ordinance, the original appearing as a public record in the Minute Book of said Commission which is in my custody and control.

Given under my hand and the Seal of Dade County this 4th day of February 2016.



A handwritten signature in blue ink, appearing to read "Patrick D. Townsend, Jr.", written over a horizontal line.

Patrick D. Townsend, Jr.
County Clerk
Dade County, Georgia