

**ORDINANCE # 034-21; ADOPTED 09/09/2021**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS  
OF COWETA COUNTY, GEORGIA TO AMEND CHAPTER 6. ALCOHOL OF THE COWETA  
COUNTY CODE OF ORDINANCES TO ADD PROVISIONS REGULATING WINERIES  
AND DISTILLERIES AND FOR OTHER PURPOSES**

**WHEREAS**, the General Assembly of the State of Georgia authorizes a local government to permit and regulate wineries and distilleries within its jurisdictional limits; and

**WHEREAS**, the Board of Commissioners of Coweta County, Georgia has determined that permitting the manufacturing of malt beverages, wine, and distilled spirits in the county will encourage economic development, tourism, and trade; and

**WHEREAS**, the Board of Commissioners of Coweta County, Georgia has determined that it is in furtherance of the health, safety, and welfare of the public to authorize and regulate such activities.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Commissioners of Coweta County, Georgia and it is hereby ordained by the Authority of the same that *Chapter 6, Alcoholic Beverages* of the *Coweta County Code of Ordinances* is hereby amended as follows:

**AMEND Article I. – In General, Section 6-2. – Definitions to add the following:**

*Farm winery*: A domestic winery as defined and regulated by O.C.G.A. § 3-6-21.1 et seq., which is licensed as a farm winery.

*Farm winery tasting room*: An outlet for the promotion of a farm winery's wine by providing complimentary tasting samples of such wine to the public and for retail sale of such wine as provided and regulated by O.C.G.A. § 3-6-21-1 et seq.

*Manufacturer*: Any maker, producer, or bottler of an alcoholic beverage; and

- (1) In the case of distilled spirits, any person engaged in distilling, rectifying, or blending any distilled spirits; and
- (2) In the case of malt beverages, any brewer; and
- (3) In the case of wine, any vintner

*Place of business*: The premises of a licensed manufacturer, broker, importer, wholesaler, retailer, or retail consumption dealer described in the license where alcohol, or alcoholic beverages are manufactured, sold, or offered for sale.

**AMEND Article I. – In General, Section 6-9. – Sale of distilled spirits, malt beverages or wine by the drink for consumption only on the premises; combining retail package and retail consumption licenses prohibited to add the following:**

- (e) This section shall not prohibit a properly licensed farm winery or manufacturer from selling packaged wine or packaged distilled spirits to licensed wholesale dealers for distribution to retailers and retail consumption dealers in accordance with the provisions of Article IV-A of this chapter.

**AMEND Article II. – Licensing, Section 6-36. – License required to sell alcoholic beverages, subsection (a) as follows:**

- (a) Licenses for the sale of alcoholic beverages shall be issued by the business license director at an annual license fee as established herein:
  - (1) Retail consumption license (distilled spirits); Food caterer off-premises consumption license 5,000.00
  - (2) Retail package license (distilled spirits); or Wholesale dealer license (distilled spirits) \$5,000
  - (3) Manufacturer/manufacturing license \$5,000
  - (4) Retail consumption license (malt beverage only); Food caterer off-premises consumption license (malt beverage only); Retail package license (malt beverage only); or Wholesale dealer license (malt beverage only) \$500.00
  - (5) Retail consumption license (wine only); Food caterer off-premises consumption license (wine only); Retail package license (wine only); or Wholesale dealer license (wine only) \$500.00
  - (6) Microbreweries \$500.00
  - (7) Off-premises alcohol caterer permit \$100.00

**AMEND Article II. – Licensing, Section 6-44. – Business entrance as follows:**

The front entrance of all licensed premises shall be clearly visible from a public street; however, this restriction shall not apply where the premises are located in a hotel, motel, private club, shopping center, farm winery, manufacturer, or multiple-story business building.

**ADD the following to Chapter 6 – Alcoholic Beverages:**

**ARTICLE IV-A. – MANUFACTURING (THIS IS A NEW ARTICLE)**

**Sec. 6-120. – Manufacturing of malt beverages, wine, and distilled spirits; tastings.**

- (a) Any manufacturing licensed by the state of the following products may be granted a license to manufacturer such beverages in the county upon application for such license to the county and after meeting all qualifications contained in this chapter:
  - (1) Wine at farm wineries;
  - (2) Malt beverages;
  - (3) Distilled spirits made from perishable fruits grown in Georgia;
  - (4) Distilled spirits made from agricultural products other than perishable fruits grown in Georgia

- (b) All appropriate and pertinent parts of this chapter shall be applicable to any applicant or holder of a manufacturing license to sell and/or distribute malt beverages, wine, and distilled spirits under this article. State laws as to hours, signs, and any provisions specific to these state licenses shall be applicable.
- (c) The applicant shall comply with and is subject to all provisions of Article II, Licensing.
- (d) There is hereby created a license for the business of operating a Georgia farm winery, to be in conformance with the farm winery laws of the State of Georgia under O.C.G.A. § 3-6-21.1 et seq., and the applicable parts of this article as well as conforming with applicable federal laws, rules, and regulations.
- (e) Under this article, the licensee shall be authorized to carry on the business of operating a farm winery tasting room on the licensed premises to include the entire owned parcel or parcels.
- (f) There is hereby created a license for the business of manufacturing malt beverages, to be in conformance with the laws of the State of Georgia as well as conforming with applicable federal laws, rules, and regulations.
- (g) There is hereby created a license for the business of manufacturing distilled spirits made from perishable fruits grown in Georgia, to be in conformance with the laws of the State of Georgia under O.C.G.A. § 3-4-24, as well as conforming with applicable federal laws, rules, and regulations.
- (h) There is hereby created a license for the business of manufacturing distilled spirits made from agricultural products other than perishable fruits grown in Georgia, to be in conformance with the laws of the State of Georgia under O.C.G.A. § 3-4-24.1, as well as conforming with applicable federal laws, rules, and regulations.
- (i) Tasting rooms are limited to those licensed by the State of Georgia and allow the licensee to deal in its products, including any limited package sales, strictly in accordance with and pursuant to state law. No license is created by this article authorizing any other person to deal in any other alcoholic beverage in a licensed malt beverage manufacturing facility, a farm winery, or a distillery licensed under this article.

**SO ORDAINED IN LAWFULLY ASSEMBLED, OPEN SESSION AS PROVIDED BY  
GEORGIA LAW THIS 9<sup>th</sup> DAY OF SEPTEMBER, 2021.**

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Chairman

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Attest: \_\_\_\_\_  
County Clerk

