

STATE OF GEORGIA  
CITY OF ROSWELL

First Reading: February 9, 2015  
Second Reading: February 23, 2015

**ORDINANCE TO AMEND CHAPTER 3 "ALCOHOLIC BEVERAGES",  
ARTICLE 3.4 "LOCATION OF SALES", OF THE  
CODE OF ORDINANCES OF THE CITY OF ROSWELL**

WHEREAS, State law provides that the governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law; and

WHEREAS, the Mayor and Council of the City of Roswell are charged with the protection of the public health, safety and welfare; and

WHEREAS, the Mayor and Council now wish to update the City of Roswell Code of Ordinances regarding the sale of alcoholic beverages, Chapter 3, Administration, Article 3.4 Location of Sales:

NOW, THEREFORE, the Mayor and Council of the City of Roswell, pursuant to their authority, do hereby adopt the following amendment:

1.

**Chapter 3 , Alcoholic Beverages, Article 3.4, Location of Sales, Section 3.4.1, Zoning requirements; existing licenses** of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting Section 3.4.1 in its entirety and substituting therefor a new Section 3.4.1 to read as follows:

**Section 3.4.1 Zoning requirements; existing licenses.**

(a) No alcoholic beverage license shall be granted unless the premises to be licensed are located in the NX, CX, SH, CC, PV, CH, OR, IX or Historic Overlay District. No pouring license shall be granted in PV or the District formerly known as the Parkway Village Overlay District except at outlets licensed as restaurants under Section 3.7.3 of this article. No package malt beverage license or package wine license shall be granted in PV or the District formerly known as the Parkway Village Overlay District except in retail supermarkets having a gross building area of at least twenty-four thousand (24,000) square feet or in drug stores having a gross building area of at least eight thousand (8,000) square feet. Any license application shall meet the distance requirements of Section 3.4.2 of this article.

(b) The number of licenses already granted for similar businesses within the city limits in the trading area of the place for which a license is sought shall be considered a factor in issuing licenses.

2.

**Severability.** Should any court of competent jurisdiction declare any section or part of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

3.

**Repeal of Conflicting Provisions.** All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

4.

**Renumbering.** It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Roswell, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

This Ordinance shall take effect and be in force from and after the day of its adoption, the public welfare demanding it.

The above Ordinance was read and approved by the Mayor and Council of the City of Roswell, Georgia, on the 23<sup>rd</sup> day of February 2015.

J. Wood  
Jere Wood, Mayor

Attest:

Marlee Press  
Marlee Press, City Clerk

SEAL

Jerry Orleans  
Councilmember Jerry Orleans

Rebecca Wynn  
Councilmember Rebecca Wynn

Betty Price  
Councilmember Betty Price

R. Dippolito  
Councilmember Richard Dippolito

Kent Igleheart  
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Nancy Diamond  
Councilmember Nancy Diamond

