

STATE OF GEORGIA  
COUNTY OF FULTON

First Reading: November 13, 2018  
Second Reading: November 26, 2018

**ORDINANCE TO AMEND CHAPTER 3 "ALCOHOLIC BEVERAGES" OF THE  
CODE OF ORDINANCES OF THE CITY OF ROSWELL TO CHANGE SEATING  
REQUIREMENT FOR SUPPER CLUB**

**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 and affairs; and

**WHEREAS**, the City of Roswell Code of Ordinances provides for a "Supper Club" License as a category of Consumption on the Premises of alcoholic beverages; and

**WHEREAS**, the Mayor and Council have determined that it is in the best interest of the public health, safety and welfare that the seating requirements for supper clubs be changed to equal the number required of restaurants serving alcohol; and

**WHEREAS**, the Mayor and Council wish to clarify that mobile food vendors may be used in conjunction with a supper club to meet adequate and sanitary kitchen facilities provided such mobile food vendors run through the same point of sale (POS) system as the supper club:

**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 3.7 "Requirements for Consumption On- Premises Licenses," Section 3.7.5 " Supper Club," Subsections (a) of the Code of Ordinances of the City of Roswell, Georgia is hereby amended by deleting said subsections in their entirety and replacing said subsections with a new Subsections 3.7.5 (a) and (b) which shall read as follows:**

**Section 3.7.5 Supper Club**

- (a) Have a seating capacity, at tables, of at least sixty (60) persons.
- (b) Have adequate and sanitary kitchen facilities and staff to prepare, cook and serve suitable food for its patrons, except that this requirement shall not apply to a supper club which is located in a hotel having separate kitchen facilities of which the supper club makes use or to a supper club that utilizes, under one point of sale (POS) system, licensed mobile food vendors approved under Article 10.15 of the Roswell Code of Ordinances.

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.

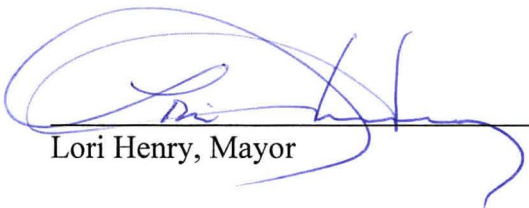
3.

**Repeal of Conflicting Provisions.** All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

**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 26<sup>th</sup> day of Nov, 2018.

  
Lori Henry, Mayor

Attest:

  
Marlee Press, City Clerk  
(Seal)



**Community Development Department - Councilmember Michael Palermo**

4. **Approval of a Text Amendment to Article 10.15, Mobile Food Vendors, Chapter 10.15.3 of the City of Roswell Code of Ordinances regarding hours of operation of Mobile Food Vendors. (Second Reading)**

*Ordinance No. 2018-11-17*

This approval allows mobile food vendors to serve until 11:00 p.m.

<b>RESULT:</b>	<b>APPROVED ON SECOND READING [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Palermo, Councilmember
<b>SECONDER:</b>	Sean Groer, Councilmember
<b>IN FAVOR:</b>	Groer, Judy, Palermo, Tyser, Willsey, Zapata

5. **Approval of a Text Amendment to Chapter 3 Alcoholic Beverages, Section 3.7.5, Supper Club of the City of Roswell Code of Ordinances regarding changing the seating requirement. (Second Reading)**

*Ordinance No. 2018-11-18*

This approval changes the seating capacity at tables to at least sixty (60) persons from one hundred (100) to be consistent with restaurant requirements for Supper Clubs. The use of mobile food vendors is also added under the same point of sale (POS) system.

<b>RESULT:</b>	<b>APPROVED ON SECOND READING [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Palermo, Councilmember
<b>SECONDER:</b>	Matthew Tyser, Councilmember
<b>IN FAVOR:</b>	Groer, Judy, Palermo, Tyser, Willsey, Zapata

**Environmental / Public Works Department - Councilmember Matt Judy**

6. **Approval for the Mayor and/or City Administrator to sign a contract with Advanced Disposal Services Atlanta for the disposal of municipal solid waste and operation and maintenance of the Solid Waste Transfer Station in the amount of \$1,598,800 and approval of Budget Amendment (BA54045300-11-26-18) in the amount of \$128,000.**

This approval for this contract is for the final 1-year extension to the Operation and Maintenance contract originally executed in 2009. Advanced Disposal has requested an increase to the original contract price of \$32.95 per ton due to increased operational costs. The proposed 1-year extension will increase the contract price to \$37.00 per ton. All other terms and conditions of the existing contract remain unchanged.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Matt Judy, Councilmember
<b>SECONDER:</b>	Marie Willsey, Councilmember
<b>IN FAVOR:</b>	Groer, Judy, Palermo, Tyser, Willsey, Zapata