

**AN ORDINANCE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF DACULA, GEORGIA, TO PROVIDE FOR HOME DELIVERY OF ALCOHOL BY AN AUTHORIZED LICENSEE WHICH ALSO SELLS ALCOHOL FOR CONSUMPTION ON THE PREMISES; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.**

WHEREAS, effective January 1, 2021, Georgia State law changed to allow for the delivery of alcohol by certain license holders; and

WHEREAS, the City has received inquiries about whether such sales are permitted within the City; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens and businesses within the City of Dacula to amend the City Code to make provision for such home deliveries consistent with State law;

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DACULA HEREBY ORDAINS that the City Code be amended as follows:

**SECTION 1.**

A new Subsection 4-294 is adopted as follows:

Section 4-294. Home Delivery of Alcohol

- (a) For all purposes of this section, a “packaged goods retailer” shall have the same meaning as provided in O.C.G.A. § 3-3-10.
- (b) No packaged goods retailer, restaurant or other licensees with only an “on-premise” permit shall be permitted to engage in delivery operations without first obtaining a proper home delivery license from the City pursuant to the procedures set forth in Section 4-11.

Subsection 4-11 is amended to add the following subsection (22) as a permitted license and to establish its fee as follows:

- (22) In addition to any authorizations provided by State law, on-premise permit holders may apply for a “home delivery license” to allow them to deliver alcohol under the provisions of O.C.G.A. § 3-3-10.

The fee for such home delivery license shall be One Hundred Twenty Five and No/100 Dollars (\$125.00).

SECTION 2.

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 3.

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SO ORDAINED by the governing authority of the City of Dacula, this 4<sup>th</sup> day of February, 2021.

AYES: 4

NAYES: 0

  
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HUGH D. KING, III  
MAYOR, CITY OF DACULA

ATTEST:

  
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JOEY MURPHY, CITY ADMINISTRATOR

