

Subject Matter: Amendment of Chapter 10
of Code: Alcoholic Beverages, to add a new
Section 10-57 to provide for a caterers
license and fee

Date First Reading: November 9, 2020

Date of Public Hearing before Town

Council: November 9, 2020

Date of Adoption and Second Reading
on: December 7, 2020

**TOWN OF SHARPSBURG
COUNTY OF COWETA
STATE OF GEORGIA**

ORDINANCE NUMBER 20-03

**TOWN OF SHARPSBURG, GEORGIA
PREAMBLE AND FINDINGS**

WHEREAS, for the general welfare and continued growth and prosperity of the Town of Sharpsburg, the Mayor and Town Council desire to amend Article II, Licensing, of Chapter 10 of the Town of Sharpsburg Alcohol Beverage Ordinance to allow the Licensing and establishment of License Fee for ancillary alcohol caterers; event permit for catered functions;

WHEREAS, the Mayor and Town Council have determined that in addition to promoting business growth in the Town of Sharpsburg, it is important to the general welfare and prosperity of the Town of Sharpsburg to assist in the economic development of the Town of Sharpsburg by maintaining existing business in the Town of Sharpsburg by allowing for the Licensing and establishment of License Fee for ancillary alcohol caterers; event permit for catered functions, in order to maintain business opportunities for smaller businesses operating in the Town of Sharpsburg;

WHEREFORE, BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF SHARPSBURG, GEORGIA, AND BY THE AUTHORITY THEREOF:

Section 1:

The Town of Sharpsburg Alcohol Beverage Ordinance as codified at Chapter 10 of the Town's Code of Ordinances is hereby amended by adding a new Section 10-57 Ancillary alcohol caterers; event permit for catered functions to Article II, Licensing, to read as follows:

Section 10-57 Ancillary Alcohol Caterers; Event Permit for Catered functions.

(a) As used in this section, the term:

(1) *Licensed alcoholic beverage caterer* means any person, other than a private club, who holds a valid license from the State of Georgia and any county or municipality in this state wherein the caterers place of business is located which authorizes the licensee to sell, either by the drink or package, wine, malt beverages or distilled spirits.

(2) *Authorized catered function* means a function held at a location within the Town or within Coweta County for which an event permit has been issued, if required by ordinance.

(b) Any person who holds a valid license from the county or municipality wherein his place of business is located, including the Town of Sharpsburg, which authorizes the licensee to sell malt beverages or wine by the package or by the drink for consumption on the premises may apply to the town clerk for an "off-premises consumption: malt beverages/wine" license to distribute malt beverages or wine by the drink off-premises within the Town at authorized catered functions in conjunction with food service. Applications shall be supported by evidence of required licenses in good standing.

(c) Any person who holds a valid license from the county or municipality wherein his place of business is located, including the Town of Sharpsburg, which authorizes the licensee to sell distilled spirits, malt beverages or wine, by the package or by the drink for consumption on-premises may apply to the town clerk for an event permit to sell distilled spirits, malt beverages or wine, by the drink off-premises within the Town at authorized catered functions in conjunction with food service. Applications shall be supported by evidence of required licenses in good standing.

(d) If required by the hosting jurisdiction, the event permit application shall include the name of the caterer, together with his license number; the date, time and duration of the event; the name and address of the event host or sponsor, and, if different, the address of the location where the event will be held. The application shall be signed by the licensed alcoholic beverage caterer and the event host or sponsor. In the event host or sponsor is not the owner of the property at which the event will be held, then the owner of the property, or the owner's authorized agent, shall sign the

application consenting to the distribution of alcoholic beverages at that location. Each event permit shall require payment of any additional required fee for the event; provided, however, if the caterer does not maintain a place of business within the Town, in addition to the above fee, there is hereby levied an excise tax upon the total quantity of alcoholic beverages brought into the Town for such event. At all times during which an authorized catered function is taking place, or alcoholic beverages are being transported within the Town, the licensee shall maintain the original off-premises license and event permit in the vehicles used for transporting the alcoholic beverages. No event permit shall be issued for more than three consecutive days and a full permit fee shall be assessed for each day of the event.

(e) The licensed alcoholic beverage caterer shall provide such personnel as needed to handle all beverage alcohol served or dispensed at the catered event. This shall include bartending, dispensing, serving, providing, or furnishing of alcoholic beverages. Employees of a licensed alcoholic beverage caterer shall be 21 years of age or older to handle beverage alcohol at such catered event. Only when the sale of beverage alcohol is authorized on Sunday by state law and local ordinance shall the sale of alcohol be allowed on Sunday by a licensed alcoholic beverage caterer.

(f) Any person violating any of the provisions of O.C.G.A. §3-11-4 regulating off-premises consumption sales by licensed alcoholic beverage caterers shall be tried, upon citation returnable to the municipal court or the Magistrate Court of Coweta County, for a violation of this chapter, and, if convicted, punished in the manner provided in the Charter and Code of Ordinances of the Town of Sharpsburg.

Section 2.

The Town of Sharpsburg Alcohol Beverage Ordinance as codified at Chapter 10 of the Town's Code of Ordinances is hereby amended by adding a new #9 to Sec. 10-36 License required to sell alcoholic beverages, Paragraph (a) to read as follows:

9. Ancillary Alcohol Beverage Caterer (in addition to any other license fee referenced herein above, if required	\$ 100.00
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Section 3. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

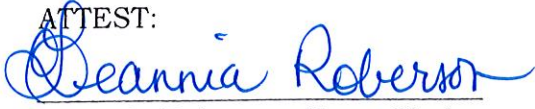
Section 4. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.


Section 5. Except as modified herein, The Code of Ordinances of the Town of Sharpsburg, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter.

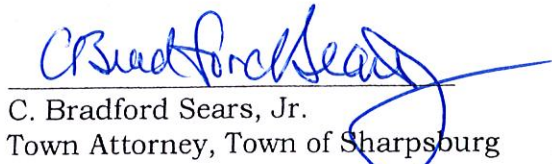
Section 6. This ordinance shall become effective immediately upon adoption.

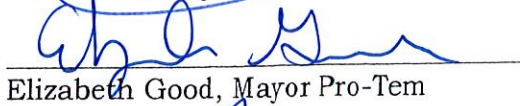
APPROVED BY THE MAYOR AND COUNCIL OF THE TOWN OF SHARPSBURG, at a regular meeting of the Mayor and Council on the 7th day of December, 2020, by the following voting for adoption:

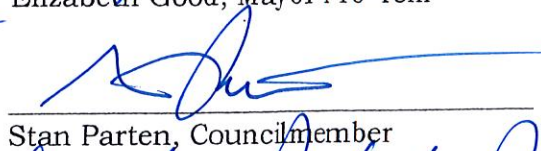
ATTEST:


Deannia Roberson, Town Clerk


Blue Cole, Mayor


C. Bradford Sears, Jr.
Town Attorney, Town of Sharpsburg


Elizabeth Good, Mayor Pro-Tem


Stan Parten, Councilmember


Cynthia Puckett-Pike, Councilmember


Tom Teagle, Councilmember