

FIRST READING	July 11, 2011
SECOND READING	August 1, 2011
PUBLISHED	July 13 & 20, 2011
PASSED	August 1, 2011

AN ORDINANCE TO AMEND THE CITY OF DAWSONVILLE ALCOHOL ORDINANCE; TO PROVIDE FOR A REFERENDUM ON PACKAGE SALES BY RETAILERS OF MALT BEVERAGES, WINE, AND DISTILLED SPIRITS WITHIN THE CITY OF DAWSONVILLE ON SUNDAYS BETWEEN THE HOURS OF 12:30 P.M. AND 11:30 P.M.; TO PROVIDE FOR THE MANUFACTURE OF ALCOHOLIC BEVERAGES ON THE PREMISES OF THE DAWSONVILLE CITY HALL AND MUNICIPAL COMPLEX; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City Council of the City of Dawsonville, Georgia is authorized and empowered pursuant to O.C.G.A. § 3-3-2, et. seq., to regulate the sale of malt beverages, wine and distilled spirits within the geographical confines of said municipality; and,

WHEREAS, the Council previously enacted the City of Dawsonville Alcohol Ordinance, on April 2, 2007, the same being codified at Chapter 3, Article 1 of the Code of Dawsonville, Georgia, and amended from time to time; and

WHEREAS, on April 28, 2011 Georgia Governor Nathan Deal signed into law Senate Bill 10 to amend O.C.G.A. § 3-3-7 effective July 1, 2011 and allow local communities to vote by referendum on the sale of alcohol in stores on Sundays; and

WHEREAS, the City of Dawsonville has determined that it is in the best interests of the City of Dawsonville to call a referendum so the citizens of Dawsonville may vote on whether to amend its Alcohol code to revise its code to permit package sales by retailers of malt beverages, wine, and distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m;

WHEREAS, the manufacture and distribution of distilled spirits, particularly moonshine, is part of Dawsonville's unique cultural heritage and the City of Dawsonville has determined that it is in the best interest of the City of Dawsonville to celebrate such history by permitting the manufacture of malt beverages, wine, and distilled spirits on the premises of the Dawsonville City Hall and Municipal Complex;

NOW THEREFORE, pursuant to the authority granted to the City of Dawsonville by its Charter and the authority referenced above, the Council of the City of Dawsonville hereby ordains as follows:

SECTION 1. AMENDMENT OF HOURS OF SALE: RETAIL PACKAGE SALES.

Section 3-40 of Chapter 3, Article 2 of the Code of Dawsonville Georgia, is repealed in its entirety and the new Section 3-40 set forth below is inserted if the Referendum specified in Section 2 below is approved by the voters. If the Referendum specified in Section 2 below is rejected by the voters, then Section 3-40 shall remain as it existed prior to the enactment of this Ordinance. All other remaining sections of the Alcohol Ordinance not specifically amended by this ordinance shall remain in full force and effect. If the Referendum is approved by the voters, then effective November 15, 2011 Section 3-40 shall read as follows:

- (a) Retail package sales of beer and wine shall not be sold except in licensed stores other than package liquor stores between the hours of 6:00 a.m. until 12:00 midnight, Monday through Saturday and between the hours of 12:30 p.m. until 11:30 p.m. Sunday.
- (b) Retail package sales of distilled spirits, beer, and wine shall not be sold in retail package liquor stores except between the hours of 9 a.m. until 12:00 midnight,

Monday through Saturday and between the hours of 12:30 p.m. until 11:30 p.m.
Sunday.

SECTION 2. REFERENDUM.

Upon receipt of this Ordinance as approved by the City Council of the City of Dawsonville, Georgia, the Election Superintendent shall issue the call for an election for the purpose of submitting the question of Sunday package sales by retailers of malt beverages, wine, and distilled spirits to the electors of Dawsonville, Georgia for approval or rejection pursuant to O.C.G.A. § 3-3-7, as amended.

SECTION 3. DAWSONVILLE CITY HALL AND MUNICIPAL COMPLEX.

Section 3-66 of Chapter 3, Article 2 of the Code of Dawsonville Georgia, is repealed in its entirety and the new Section 3-66 set forth below is inserted. All other remaining sections of the Alcohol Ordinance not specifically amended by this ordinance shall remain in full force and effect. Section 3-66 shall now read as follows:

- (a) The manufacture and/or sale of alcoholic beverages for wholesale or retail sale or consumption on the premises of the Dawsonville City Hall and Municipal Complex shall be allowed, as provided in this section and as allowed by State law.
- (b) The City shall issue annual license(s) for manufacturing, retail sales, and/or consumption on the premises of alcoholic beverages to one or more qualified applicants for the Dawsonville City Hall and Municipal Complex, who may be independent of the complex. The licensee must meet all requirements of this chapter, unless otherwise noted in this section, for the issuance of the license for the sale of alcoholic beverages. Any application for a license shall be accompanied by a signed agreement with the City approving the applicant.

(c) A licensee for the Dawsonville City Hall and Municipal Complex shall be exempt from the food sale requirements provided for in this chapter.

SECTION 4. INCORPORATION AND REPEALING CLAUSE.

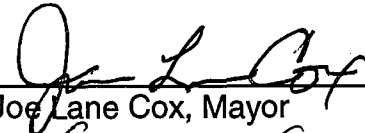
All portions of Chapter 3 of the Code of Dawsonville Georgia not expressly repealed are reaffirmed and incorporated herein it being the intent of the City Council to reaffirm its Alcohol Ordinance as amended by this ordinance. Any other ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 5. EFFECTIVE DATE.

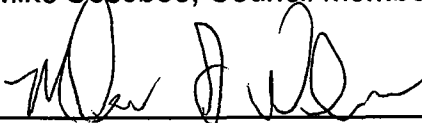
Except as otherwise provided to the contrary herein, this Ordinance shall become effective upon its approval by the City Council of the City of Dawsonville, Georgia and upon approval by referendum as applicable.

APPROVED this 1st day of August, 2011 by the Mayor and Council of the City of Dawsonville, Georgia.

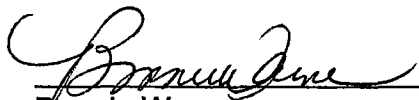
MAYOR AND DAWSONVILLE CITY COUNCIL

By: 
Joe Lane Cox, Mayor


Mike Sesebee, Council Member


Mike Wilson, Council Member

ATTESTED TO BY:


Bonnie Warne
City Clerk


James Grogan, Council Member


Calvin Byrd, Council Member