

MINUTES
CITY COUNCIL REGULAR MEETING AND WORK SESSION
G.L. Gilleland Council Chambers on 2nd Floor
Monday, August 21, 2023
5:00 P.M.

1. **CALL TO ORDER:** Mayor Eason called the meeting to order at 5:01 pm.
2. **ROLL CALL:** Present were Councilmember Mark French, Councilmember Caleb Phillips, Councilmember John Walden, Councilmember William Illg, City Attorney Kevin Tallant, City Manager Bob Bolz, City Clerk Beverly Banister, Public Works Director Trampas Hansard, Utility Director Jacob Barr, Planning Director Jameson Kinley and Finance Director Robin Gazaway.
3. **INVOCATION AND PLEDGE:** Invocation and pledge were led by Councilmember Illg.
4. **ANNOUNCEMENTS:** Mayor Eason announced the City's Comprehensive Plan process is almost complete and he thanked all the citizens who participated. He announced the Farmer's Market is still open on Saturdays starting at 8:00 am. Councilmember Walden reported on the successful event held at Main Street Park by Family Connections and is grateful for all of the resources available for residents in the City and County.
5. **APPROVAL OF THE AGENDA:** Motion to approve the agenda as presented made by J. Walden; second by W. Illg. Vote carried unanimously in favor.
6. **PUBLIC INPUT:** No participation by the public.
7. **CONSENT AGENDA:** Motion to approve the consent agenda for the following items (a - e) made by M. French; second by C. Phillips. Vote carried unanimously in favor.
 - a. Approve Minutes
 - Regular Meeting and held August 7, 2023
 - b. Approve Grant Agreement with Georgia Department of Community Affairs
 - c. Approve Appointment of Field Engineering, LLC as a Secondary Engineering Firm
 - d. Approve Farmer's Market Fee Waiver for DC Health Department Car Seat Safety Check Event – **Fee waiver approved for permit and use of the Farmer's Market totaling \$275.00**
 - e. Approve No Rate Change for 2024 Solid Waste Collection Service Rate and Service Charge – **2024 Solid Waste Collection Service rate from Red Oak Sanitation approved for \$15.90 per can, per month and the service charge approved at \$4.00**
8. **EMPLOYEE RECOGNITION:** The Mayor and Council recognized Hayden Harris as the July Employee of the Month and Annette Watson for one year of service with the City.

PUBLIC HEARING

9. **ZSP C2300063:** Atlanta Motorsports Park, LLC has petitioned to amend the site plan and the current stipulations; located at 20 Duck Thurmond Road (TMP 070 049 001). Public Hearing Dates: Planning Commission on Monday, August 14, 2023, and City Council Monday, August 21, 2023. City Council for a decision on September 18, 2023

Motion to open the public hearing made by J. Walden; second by W. Illg. Vote carried unanimously in favor. Mayor Eason conducted the public hearing. Planning Director Kinley presented the details surrounding the request.

The following citizens spoke in favor of the request:

- Joey Homans, 272 Hwy 9 S, Dawsonville – He spoke on behalf of the request made by Atlanta Motorsports Park first stating his appreciation for City staff in handling this request but strenuously expressed his concern regarding comments made by a Planning Commission member that “there was an effort to dupe the decision makers” of which he strongly stated he is “unaware of any factual basis for that question and concern” and further applauded the City staff for their professionalism in the matter. He requested the City consider leaving the sound limits as requested with an option to reduce if necessary; he requests the takeout kitchen be considered as shown on the original site plan with proper permits and approval process understanding that if the applicant wants a restaurant, then a separate approval process would be complied with. He further commented regarding a stipulation made by the Planning Commission which would require the applicant to fund an unknown amount to

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improve the intersection of Hwy 53 and Duck Thurmond Road submitting at best it cannot be addressed until GDOT provides costs related to the intersection improvements. He requests Council approve this request with the original conditions recommended by City staff except the previous items mentioned regarding the sound limits. Regarding military and/or law enforcement training at the site, he submits a ten day notice should be sufficient versus a forty-five day notice. Lastly, he requests the Council not lose sight of the value of the Atlanta Motorsports Park to the region.

- Jeremy Porter – 20 Duck Thurmond Rd., Dawsonville – He stated the restaurant was approved approximately seven years ago and was on the plans for the go-cart kitchen and considered a take-out kitchen and was inspected and a CO was issued.

Time allowance of ten minutes expired. Motion to add five minutes for matters in favor of and against the petition made by M. French; second by C. Phillips. Vote carried unanimously in favor.

- Jeremy Porter reiterated it was approved and permits were filed with the City, the Health Department and the Fire Department. He is requesting to receive confirmation on the approval of the takeout kitchen and would move forward with the permitting process for a restaurant. He further stated he has been a good steward and always transparent by providing sound reports.

The following citizens spoke in opposition of the request:

- Richard Wingate, on behalf of West and Helen Hamryka, 683 Duck Thurmond Rd, Dawsonville – He read a letter written by the Hamryka's which outlined their concerns regarding any increase in sound levels, unlimited sound limits for two 4-day weekends a year, a PA system, unrestricted spectator events and the extension of carting hours. They asked for these requests to not be granted, however, they do not object to the additional proposed changes as long as the undisturbed buffers are not altered.
- Doris Adams, 440 High Hopes Farm Rd., Dawsonville – She stated herself and her family have homes on her property near the Atlanta Motorsports Park and they had previously enjoyed tremendous peace and quiet. However, their peaceful homes are now drowned out by racecars and go-carts and they find the noise unbearable. She requests they do not approve the changes.
- Renee Duren, 2602 Sweetwater Juno Rd., Dawsonville – She stated there were three items on the site plan not listed on the staff report including a 15,000 sq ft. building, commercial space under condo building for Phase 7 Condos and construction staging. She said since the zoning is site plan specific, the future use should be accurate. She further stated she is not opposed to a majority of the proposed changes, however, is against any increase in noise and events allowed with unlimited sound; the original stipulations were put in place to protect the homeowners and she is requesting denial for any sound increase.

Mayor Eason asked if Mr. Homans or Mr. Porter would like to respond.

- Joey Homans, 272 Hwy 9 S, Dawsonville – He stated there are people in attendance who support the request and although they have not spoken, he would like them to stand. Eleven people in the audience stood.
- Jeremy Porter, 20 Duck Thurmond Rd, Dawsonville – He provided information to clarify the PA system being louder than the existing go-carts and cars. He also stated the Hamryka's are selling their home and building another one. The fines he received were based on confusion in the writing of the conditions claiming he was only out of compliance one day and the site plan includes all the future buildings.

Motion to close the public hearing was made by M. French; second by J. Walden. Vote carried unanimously in favor.

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SINISS

10. **FIFTY-SIXTH ANNUAL MOUNTAIN MOONSHINE FESTIVAL: REQUEST FOR ROAD CLOSURES:** Motion to approve the event application for the 56th Annual Mountain Moonshine Festival, road closures as presented and waive the Farmer's Market and pavilion rental fees made by M. French; second by C. Phillips. Vote carried unanimously in favor.

11. **ANX-C2100043 AND ZA-C2100043:** Allen Street Properties, LLC and B & K Turner Family, LLP have petitioned to annex into the city limits of Dawsonville tract 2 with 32.937 acres (amended application) tract known as a portion of TMP 093 004 001, located at Perimeter Road, with a request to rezone from County Zoning of RSR (Residential Sub Rural) and RA (Restricted Agriculture) to City Zoning of R3 (Single Family Residential). Public Hearing Dates: Planning Commission on September 13, 2021 and City Council on October 4, 2021. Tabled indefinitely on April 18, 2022; On August 7, 2023 item was removed from table and placed on the August 21, 2023 agenda.

Planning Director Kinley presented the request. Mayor Eason reported that some Councilmembers are concerned with some conditions as it relates to the site plan as submitted and recommended tabling the item until the Councilmembers and Planning Department could meet with the Turner's to clarify the concerns.

Motion to table ANX C2100043 and ZA C2100043 to the September 18, 2023 City Council meeting made by W. Illg; second by M. French. Vote carried unanimously in favor.

12. **ANX-C2200170:** B&K Turner Family, LLP has petitioned to annex into the city limits of Dawsonville the 35.31 acre tract known as TMP 083 025, Located at Land Lot 584, 4th District, Section 1, with a County Zoning of RA (Residential Agricultural/Residential Exurban) to City Zoning AP (Annexed Property District). Public Hearing Dates: Planning Commission on June 13, 2022, and City Council on June 20, 2022. City Council for a decision on July 18, 2022. Tabled indefinitely on July 18, 2022; On August 7, 2023 item was removed from the table and placed on the August 21, 2023 agenda.

Planning Director Kinley presented the request. Councilmember Illg asked if the City will be the provider of water and wastewater for the property; Planning Director Kinley responded that it would be served by Etowah Water & Sewer Authority and not the City.

Motion to deny ANX C2200170 made by W. Illg; second by M. French. Councilmember Phillips asked if the property, if annexed, would be zoned as it is currently with the County which is agricultural. Attorney Tallant confirmed with the City Zoning AP would have the same performance standards as it is zoned in the County and a request could be made to change the zoning but only after the passing of twenty-four months. Councilmember Phillips stated if the annexation included a zoning request for R3 he would be against it but as it stands, he has no issue with it. Vote did not carry with three opposed (Eason, Phillips, Illg) and two in favor (Walden, French).

Motion to approve ANX C2200170 made by C. Phillips; second by W. Illg. Vote carried with three in favor (Eason, Phillips, Illg) and two opposed (Walden, French). (Exhibit "A")

13. **ORDINANCE NO. 07-2023: AN ORDINANCE TO AMEND THE ALCOHOLIC BEVERAGE ORDINANCES OF THE CITY OF DAWSONVILLE, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (FIRST READING: AUGUST 7, 2023; SECOND READING AND CONSIDERATION TO ADOPT: AUGUST 21, 2023):** Attorney Tallant read the second reading of the ordinance. He requested a small change to Section II of the ordinance as submitted to change the word "brewery" to "winery" under § Sec. 3-15 (h).

Motion to approve Ordinance No. 07-2023 and include the change of the word brewery to winery in § Sec. 3-15 (h) made by W. Illg; second by J. Walden. Vote carried unanimously in favor. (Exhibit "B")

STAFF REPORTS

14. **BOB BOLZ, CITY MANAGER:** City Manager Bolz reported there were three leak adjustments totaling \$461.13; this is the first adjustment in four months since the new electronic water meter system has been installed.

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15. ROBIN GAZAWAY, FINANCE DIRECTOR: Finance Director Gazaway presented the financial reports representing fund balances and activity through June 30, 2023.

EXECUTIVE SESSION

At 6:01 p.m. a motion to close regular session and go into executive session for potential/pending litigation was made by J. Walden; second by M. French. Vote carried unanimously in favor.

At 6:26 p.m. a motion to close executive session was made by M. French; second by W. Illg. Vote carried unanimously in favor.

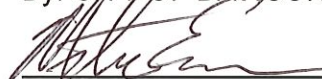
Motion to resume regular session was made by J. Walden; second by M. French. Vote carried unanimously in favor.

ADJOURNMENT:

At 6:28 p.m. a motion to adjourn the meeting was made by M. French; second by W. Illg. Vote carried unanimously in favor.

Approved this 18th day of September 2023

By: CITY OF DAWSONVILLE



Mike Eason, Mayor



Caleb Phillips, Councilmember Post 1




William Illg, Councilmember Post 2



John Walden, Councilmember Post 3



Mark French, Councilmember Post 4

Attest: 

Tracy Smith, Deputy City Clerk



STATE OF GEORGIA
COUNTY OF DAWSON

AFFIDAVIT OF THE CITY OF DAWSONVILLE MAYOR AND COUNCIL

Mayor Michael Eason, Councilmember John Walden, Councilmember Caleb Phillips, Councilmember William Illg, and Councilmember Mark French; being duly sworn, state under oath that the following is true and accurate to the best of their knowledge and belief:

1. The City of Dawsonville Council met in a duly advertised meeting on August 21, 2023.
2. During such meeting, the Board voted to go into closed session.
3. The executive session was called to order at 6:01 p.m.
4. The subject matter of the closed portion of the meeting was devoted to the following matter(s) within the exceptions provided in the open meetings law: (check all that apply)

Consultation with the City Attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or any officer or employee or in which the City or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1);

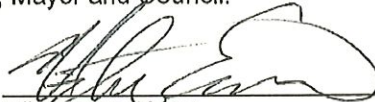
Discussion of tax matters made confidential by state law as provided by O.C.G.A. § 50-14-2(2) and _____;

Discussion of future acquisition of real estate as provided by O.C.G.A. § 50-14-3(b)(1);

Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a City officer or employee as provided in O.C.G.A. § 50-14-3(b)(2);

Other _____ as provided in: _____.

This 21st day of August 2023; By the City of Dawsonville, Mayor and Council:



Mike Eason, Mayor



Caleb Phillips, Councilmember Post #1



William Illg, Councilmember Post #2

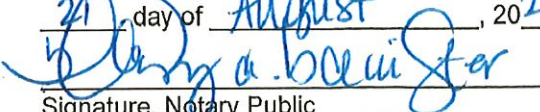


John Walden, Councilmember Post #3



Mark French, Councilmember Post #4

Sworn to and subscribed before me this 21 day of August, 2023.



Signature, Notary Public

My Commission expires: Feb 28, 2024



Exhibit "A"

ANNEXATION ORDINANCE
ANX-C2100170

STATE OF GEORGIA
COUNTY OF DAWSON

WHEREAS, the City of Dawsonville, a Georgia municipal corporation ("Dawsonville") wishes to take action to annex certain land into the corporate limits of the City of Dawsonville, a Georgia municipal corporation; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-20, *et. seq.* authority is granted to governing body of Dawsonville to annex into the existing corporate limits of Dawsonville unincorporated areas contiguous to the corporate limits of Dawsonville upon written and signed application of all of the owners of the land proposed to be annexed; and,

WHEREAS, on May 16, 2022, an application of real property was filed with the City of Dawsonville by B&K Turner Family, LLP, Owner, regarding certain property lying and being in Land Lot No. 584 of the 4th Land District, of Dawson County, Georgia as recorded in Plat Book 87 Page 135 of the Dawson County Records (the "Property"), said survey of the Property being attached hereto as Exhibit "A"; and,

WHEREAS, pursuant to O.C.G.A. § 36-36-6, notice was provided to the governing authority of Dawson County, a political subdivision of the State of Georgia, of such proposed annexation, a copy of said notice being attached hereto as Exhibit "B"; and,

WHEREAS, the Mayor and Council of Dawsonville do desire to act on such application for annexation of real property by B&K Turner Family, LLP as set forth herein;

NOW THEREFORE, the City of Dawsonville, a Georgia municipal corporation, hereby enacts the following:

I.

The Ordinances of the City of Dawsonville, Georgia, are amended as follows:

CITY OF DAWSONVILLE, GEORGIA

ORDINANCE REGARDING ANNEXATION OF LAND
PURSUANT TO O.C.G.A. § 36-36-20, *et. seq.*

Application having been made by B&K Turner Family, LLP (the "Owner") to annex certain unincorporated real property into the corporate limits of the City of

Exhibit "A"

Dawsonville, a Georgia municipal corporation, said real property being more particularly described as lying and being in Land Lots No. 584 of the 4th Land District, of Dawson County, Georgia as recorded in Plat Book 87 Page 135 of the Dawson County Records (the "Property"), said Property being contiguous to the existing corporate limits of the City of Dawsonville, a Georgia municipal corporation, the Mayor and Council of the City of Dawsonville, a Georgia municipal corporation, under the authority and powers granted under O.C.G.A. § 36-36-20, *et. seq.*, do hereby annex the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation, effective as of the date of this Ordinance and direct the City Clerk and City Attorney for the City of Dawsonville, a Georgia municipal corporation, to take such actions to make such reports and filings as are necessary to effectuate the annexation of the Property into the corporate limits of the City of Dawsonville, a Georgia municipal corporation.

II.

All ordinances, parts of ordinances, amendments, or regulations in conflict herewith are repealed.

III.

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, 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.

IV.

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 of the City of Dawsonville, Georgia.


V.

This Ordinance shall take affect the first day of the month following the adoption of this ordinance provided that all requirements of Article 2 of Chapter 36 of Title 36 of the Official Code of Georgia Annotated have been met; and shall become effective for purposes of ad valorem taxes on December 31st of the year in which this ordinance is adopted.

The above Ordinance was approved by the Mayor and Council of the City of Dawsonville, Georgia, on the 21st day of August 2023.

(Signatures on next page)

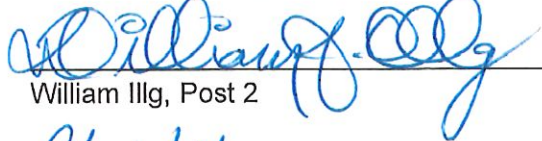
Exhibit "A"



Mike Eason, Mayor



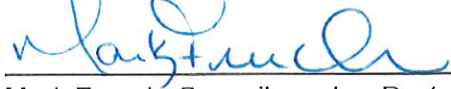
Caleb Phillips, Councilmember Post 1




William Illg, Post 2



John Walden, Councilmember Post 3



Mark French, Councilmember Post 4

Attested:  Deputy City Clerk for
Beverly A. Banister, City Clerk



Planning and Zoning Department
415 Highway 53 E. Suite 100
Dawsonville, Georgia 30534



Exhibit "A"

706.265.3256
www.dawsonville-ga.gov

May 17, 2022

Via Certified Mail 7018 3090 0001 6005 4358

Mr. Billy Thurmond
Board of Commissioners
Dawson County
25 Justice Way, Suite 2313
Dawsonville, GA 30534

Re: Annexation of Property of B&K Turner Family, LLP; ANX C2200170; TMP 083 025; Hwy 9 North; Land Lot 584, 4th District, Section 1.

Dear Mr. Thurmond,

Please be advised that the City of Dawsonville, Georgia, pursuant to authority vested in the Mayor and Council of the City of Dawsonville by Article 2, Chapter 36, Title 36 of the Official Code of Georgia Annotated, received a petition to annex the property referenced above. This annexation petition will be heard during the public hearing segment of the following City Council meetings; June 20, 2022, and July 18, 2022.

This letter has been sent to you by certified mail, return receipt requested, upon receipt of the Annexation Petition of B&K Turner Family, LLP. Said notice is in compliance with O.C.G.A. §§ 36-36-6, and 36-36-111. Please see the attached copy of the annexation petition and map of the site proposed to be annexed, which are included to allow you to identify the subject area, as well as the intended use of the property.

Pursuant to O.C.G.A. § 36-36-113, upon receipt of this notice Dawson County has thirty (30) calendar days to raise an objection to the proposed use of the above referenced land, and to specify the basis therefore.

Finally, in accord with O.C.G.A. § 36-36-7, Dawson County has five (5) business days from the receipt of this notice to notify the City that there are County-owned public facilities within the area proposed for annexation.

Thank you for your time and attention to this matter, and I look forward to hearing from you regarding this issue. If I may be of assistance in this regard or any other, please do not hesitate to contact me.

Sincerely,

Stacy Harris
Zoning Administrative Assistance

Enclosures
cc: David Headley, County Manager
Dawson County Attorney

Exhibit B

Subject Matter: Alcoholic Beverages
Date of First Reading: August 7, 2023
Date of Second Reading: August 21, 2023
Date of Adoption: *August 21, 2023*

ORDINANCE NUMBER 07-2023

AN ORDINANCE TO AMEND THE ALCOHOLIC BEVERAGE ORDINANCES OF THE CITY OF DAWSONVILLE, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

WHEREAS, pursuant to Article IX, Section II, Paragraph II of the Constitution of the State of Georgia and Chapter 35 of Title 36 of the Official Code of Georgia, the City Council of Dawsonville is empowered to adopt reasonable ordinances for local government upon matters not governed by general law and which are not inconsistent with the Constitution of the State of Georgia or the Charter of the City of Dawsonville; and

WHEREAS, pursuant to Article I of Chapter 3 of Title 3 of the Official Code of Georgia Annotated, specific authority is given to the local governments of this State to regulate the sale of alcoholic beverages in ways not inconsistent with State Law;

AND WHEREAS, the City Council has determined it is in the interests of public health, safety, morals, convenience, order, prosperity, and general welfare of the City of Dawsonville to update and clarify certain provisions of the City's Alcoholic Beverage Ordinance;

NOW THEREFORE, the governing body of the City of Dawsonville, Georgia, does hereby amend its Alcoholic Beverage Ordinance as follows:

SECTION I: Brewery with taproom and package sales license.

Chapter 3 Alcoholic Beverages, Article I In General, Division 2 Licenses and Permits Offered; Regulations for Certain Licenses and Permit, Section 3-14 Brewery with taproom and package sales license of the Code of Ordinances of the City of Dawsonville is hereby amended by deleting Section 3-14 in its entirety and inserting in lieu thereof the following:

§ Sec. 3-14 Brewery with taproom and package sales license.

(a) Any person, business, or entity desiring to operate a brewery with taproom and package sales within the city shall apply for a brewery with taproom and package sales license prior to engaging in such activities.

(b) Unless otherwise provided in this chapter, a brewery licensee engaging in any manufacturing, wholesale, distribution, retail on-premises consumption sales, and/or retail package sales authorized by a brewery with taproom and package sales license shall comply all regulations of the applicable general manufacturing, wholesale dealer, retail consumption dealer, and/or retail package dealer licenses provided for in this article.

(c) A brewery licensee is authorized to manufacture beer or malt beverages on its licensed premises and sell its products, produced or manufactured by the licensee on the licensed premises, to wholesale dealers and/or distributors or at retail to individuals on the brewery's licensed premises for:

(1) On-premises consumption in a taproom or similar facility located on the licensed premises; and

(2) Off-premises consumption in closed packages, in compliance with O.C.G.A. 3-5-1 et seq., as now written or hereafter amended.

(d) Food sales or service is permitted in a brewery, but is not required. There is no requirement for minimum revenue for food sales or for an on-premises fixed or full-service kitchen.

(e) A brewery licensee is authorized to sell beer or malt beverages, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption Monday through Saturday between the hours of 11:00 a.m. and 11:30 p.m., and Sunday between the hours of 12:30 p.m. and 11:30 p.m., along with federal holidays from 12:30 p.m. until 11:30 p.m. In addition, upon application and approval by the city manager, a licensee may be authorized to sell beer or malt beverages, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption on other dates for special events, pursuant to a temporary on-premises consumption permit.

(f) Smoking of any type, including cigarettes, cigars, vaping, or similar, is prohibited within the premises of a brewery, including any exterior patio or similar.

(g) No gaming devices, including coin-operated amusement machines, as defined and regulated by the state law are permitted in breweries.

SECTION II: Winery/farm winery with tasting room and package sales license.

Chapter 3 Alcoholic Beverages, Article I In General, Division 2 Licenses and Permits Offered; Regulations for Certain Licenses and Permit, Section 3-15 Winery/farm winery with tasting room and package sales license of the Code of Ordinances of the City of Dawsonville is hereby amended by deleting Section 3-15 in its entirety and inserting in lieu thereof the following:

§ Sec. 3-15 Winery/farm winery with tasting room and package sales license.

(a) Any person, business, or entity desiring to operate a winery/farm winery with tasting room and package sales within the city shall apply for a winery/farm winery with tasting room and package sales license prior to engaging in such activities.

(b) Unless otherwise provided in this chapter, a winery/farm winery licensee engaging in any manufacturing, wholesale, distribution, retail on-premises

consumption sales, and/or retail package sales authorized by a winery/farm winery with tasting room and package sales license shall comply all regulations of the applicable general manufacturing, wholesale dealer, retail consumption dealer, and/or retail package dealer licenses provided for in this article.

(c) A winery/farm winery licensee is authorized to manufacture wine and/or mead on its licensed premises and sell its products, produced or manufactured by the licensee on the licensed premises, to wholesale dealers and/or distributors or at retail in closed packages for off-premises consumption directly to consumers, in compliance with state law.

(d) A winery/farm winery licensee is authorized to offer, for free, samples of its products, as produced and/or manufactured by the licensee on the licensed premises, to customers as a promotion for package sales. Samples shall be limited to one-ounce pours and shall be limited to no more than eight pours per customer, per day. Samples shall only be offered during normal business and/or operating hours of the licensee during which the sale of alcoholic beverages is permitted.

(e) A winery/farm winery licensee is authorized to sell wine and/or mead, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption on Monday through Saturday between the hours of 11:00 a.m. and 11:30 p.m., and Sunday between the hours of 12:30 p.m. and 11:30 p.m., along with federal holidays from 12:30 p.m. until 11:30 p.m. In addition, upon application and approval by the city manager, a winery/farm winery licensee may be authorized to sell wine and/or mead, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption on other dates for special events, pursuant to a temporary on-premises consumption permit.

(f) Smoking of any type, including cigarettes, cigars, vaping, or similar, is prohibited within the premises of a distillery, including any exterior patio or similar.

(g) No gaming devices, including coin-operated amusement machines, as defined and regulated by the state law are permitted in distilleries.

(h) Food sales or service is permitted in a winery, but is not required. There is no requirement for minimum revenue for food sales or for an on-premises fixed or full-service kitchen.

SECTION III: Distillery with cocktail room and package sales license.

Chapter 3 Alcoholic Beverages, Article I In General, Division 2 Licenses and Permits Offered; Regulations for Certain Licenses and Permit, Section 3-16 Distillery with cocktail room and package sales license of the Code of Ordinances of the City of Dawsonville is hereby amended by deleting Section 3-16 in its entirety and inserting in lieu thereof the following:

§ Sec. 3-16 Distillery with cocktail room and package sales license.

(a) Any person, business, or entity desiring to operate a distillery with cocktail room and package sales within the city shall apply for a distillery with cocktail room and package sales license prior to engaging in such activities.

(b) Unless otherwise provided in this chapter, a distillery licensee engaging in any manufacturing, wholesale, distribution, retail on-premises consumption sales, and/or retail package sales authorized by a distillery with cocktail room and package sales license shall comply all regulations of the applicable general manufacturing, wholesale dealer, retail consumption dealer, and/or retail package dealer licenses provided for in this article.

(c) A distillery licensee is authorized to manufacture distilled spirits on its licensed premises and sell its products, produced or manufactured by the licensee on the licensed premises, to wholesale dealers and/or distributors or at retail in closed packages for off-premises consumption directly to consumers, in compliance with state law.

(d) A distillery licensee is authorized to offer, for free, samples of its products, as produced and/or manufactured by the licensee on the licensed premises, to customers as a promotion for package sales. Samples shall be limited to one-half ounce pours and shall be limited to no more than five pours per customer, per day. Samples shall only be offered during normal business and/or operating hours of the licensee during which the sale of alcoholic beverages is permitted.

(e) A distillery licensee is authorized to sell distilled spirits, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption on Monday through Saturday between the hours of 11:00 a.m. and 11:30 p.m., and Sunday between the hours of 12:30 p.m. and 11:30 p.m. along with federal holidays from 12:30 p.m. until 11:30 p.m. In addition, upon application and approval by the mayor and city council, a distillery with cocktail room licensee may be authorized to sell distilled, as produced and/or manufactured by the licensee on the licensed premises, at retail for on-premises consumption on other dates for special events, pursuant to a temporary on-premises consumption permit.

(f) Smoking of any type, including cigarettes, cigars, vaping, or similar, is prohibited within the premises of a distillery, including any exterior patio or similar.

(g) No gaming devices, including coin-operated amusement machines, as defined and regulated by the state law are permitted in distilleries.

(h) Food sales or service is permitted in a brewery, but is not required. There is no requirement for minimum revenue for food sales or for an on-premises fixed or full-service kitchen.

SECTION IV: Incorporation and Repealer


Except as modified herein, the remainder of the Alcoholic Beverage Ordinance of the City of Dawsonville is affirmed and incorporated herein. All laws and parts of law in conflict with this enactment are hereby repealed.

SECTION V: Effective Date

This ordinance shall be effective the day following its passage by the City Council of Dawsonville.

SO ADOPTED AND ORDAINED by the City Council of Dawsonville, Georgia, this 21 day of August, 2023.

MAYOR AND DAWSONVILLE CITY COUNCIL

By: 
Mike Eason, Mayor



Caleb Phillips, Council Member Post #1


William Illg, Council Member Post #2


John Walden, Council Member Post #3


Mark French, Council Member Post #4

ATTESTED TO BY:


Terly A. Battister, City Clerk

