



AN ORDINANCE BY

COUNCILMEMBER C.T. MARTIN

AN ORDINANCE TO WAIVE THE PROVISIONS OF CHAPTER 10, ARTICLE II, SECTION 10-209(C) AND (D) OF THE CITY OF ATLANTA CODE OF ORDINANCES SO AS TO MODIFY THE HOURS OF OPERATION ON SUNDAY DECEMBER 25TH, 2016 THROUGH MONDAY DECEMBER 26TH, 2016, FOR ALL LICENSED ESTABLISHMENTS AUTHORIZED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages and certain other types of businesses within its territorial limits;

WHEREAS, Chapter 10 of the City of Atlanta Code of Ordinance regulates the issuance of licenses for the consumption of alcoholic beverages on and off the premises; and

WHEREAS, the City is authorized to regulate the hours within which establishments licensed to sell alcoholic beverages may sell such beverages; and

WHEREAS, in accordance with OCGA § 3-3-7 and Section 10-209(c) and (d), certain establishments are authorized to engage in the sale of alcoholic beverages for consumption on the premises on Sunday between the hours of 12:30 p.m. until 12:00 Midnight; and

WHEREAS, OCGA § 3-3-7(r) authorizes a municipality to authorize the sale of alcoholic beverages in all establishments licensed for consumption on the premises from 12:30 p.m. until 12:00 Midnight on one Sunday during each calendar year pursuant to the adoption of legislation; and

WHEREAS, in accordance with Section 10-209(c) and (d), certain establishments are authorized to engage in the sale of alcoholic beverages for on premises consumption on Monday through Friday between the hours of 9:30 a.m. and 2:30 a.m. the following day; and

WHEREAS, Section 10-209(c) and (d) currently authorize extended hours of operation at certain establishments to engage in the sale of alcoholic beverages for on premises consumption on Sunday between the hours of 12:30 p.m. and 2:30 the following day in recognition of New Year's Eve, St. Patrick's Day, Memorial Day, Independence Day and Labor Day; and

WHEREAS, Section 10-209(c) and (d) currently set forth that anytime December 31 falls on a Sunday, all establishments licensed to engage in the sale of alcoholic beverages for on premises consumption by engage in the sale of alcoholic beverages between the hours of 12:01 a.m., Monday, January 1, and 2:30 a.m. Monday, January 1; and

WHEREAS, the City recognizes the need to represent the expressed interest of its citizens, visitors, and licensed establishments in celebrating special events and holidays; and

WHEREAS, many licensed establishments which are not restaurants allowed to operate on Sunday December 25th, 2016 (Christmas Day) and with extended hours on the Monday morning of December 26th, 2016 pursuant to Section 10-209(c) and (d) have expressed an interest in modifying the current allowable hours of operation at their establishments so as to accommodate the festive nature of this holiday.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

SECTION 1. that the provisions of Section 10-209 (c) and (d) of the City of Atlanta Code of Ordinances are hereby waived in part in this instance only, for the sole purpose of allowing all establishments licensed to engage in the sale of alcoholic beverages for which they are appropriately licensed for on premises consumption, to engage in the sale of alcoholic beverages between the hours of 12:30 p.m. Sunday December 25th, 2016 and 2:30 a.m. Monday, December 26th, 2016, only.

SECTION 2. That all licensed premises described above shall be required to be closed to the public and the premises cleared of patrons within thirty minutes after the 2:30 a.m. time set for discontinuance of the sale of alcoholic beverages on the premises on Monday, December 26th, 2016.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

SECTION 4. This Ordinance shall become effective immediately upon its approval.

(Do Not Write Above This Line)

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- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 11/21/2016
 Referred To: Public Safety
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee _____	Committee _____
Date _____	Date _____
Chair _____	Chair _____
Action Fav, Adv, Hold (see rev. side) Other _____	Action Fav, Adv, Hold (see rev. side) Other _____
Members _____	Members _____
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Committee _____	Committee _____
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Chair _____	Chair _____
Action Fav, Adv, Hold (see rev. side) Other _____	Action Fav, Adv, Hold (see rev. side) Other _____
Members _____	Members _____
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Refer To _____	Refer To _____

- FINAL COUNCIL ACTION
- 2nd 1st & 2nd 3rd
 Readings
- Consent V Vote RC Vote

CERTIFIED

MAYOR'S ACTION