No. 20-06

**AN ORDINANCE**

 AN ORDINANCE AMENDING THE CODE OF SENOIA, GEORGIA, AT ARTICLE 6, ALCOHOLIC BEVERAGES, AT SEC. 6-21, LOCATION RESTRICTIONS; ON-PREMISES RESTRICTIONS; PACKAGE SALES, BY ADDING A NEW SUBPART (D) TO PROVIDE FOR DELIVERY OF MALT BEVERAGES AND WINE BY CERTAIN LICENSEES TO INDIVIDUALS WITHIN THE BOUNDARIES OF THE CITY IN CONFORMITY WITH CODE SECTION 3-3-10 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO RESTATE AND REAFFIRM THE CODE OF SENOIA, GEORGIA, AS MODIFIED HEREBY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

 **BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:**

Section 1. The Code of Senoia, Georgia is hereby amended at Chapter 6, **ALCOHOLIC BEVERAGES**, at Sec. 6-21, LOCATION RESTRICTIONS; ON-PREMISES RESTRICTIONS; PACKAGE SALES, by enactment of a new subpart (d) to provide as follows:

“**Sec. 6-21. LOCATION RESTRICTIONS; ON-PREMISES RESTRICTIONS; PACKAGE SALES; DELIVERY FOR CONSUMPTION OFF-PREMISES.**

(d) Delivery of packaged malt beverages and wine for off-premises consumption within the boundaries of the city.

1. For purposes of this subpart, all terms defined in O.C.G.A. §3-3-10 shall have the same meaning when used herein.
2. A packaged goods retailer, with an “on-premise” consumption license shall be permitted to engage in delivery operations without obtaining a separate license from the City; provided, all delivery operations shall be conducted in strict conformity to the requirements of O.C.G.A. §3-3-10 and any regulations promulgated by the Commissioner of Revenue.
3. In addition to any authorization provided by state law, on-premise license holders can provide for delivery of malt beverages (beer) and wine, by the sealed package only, within the boundaries of the city, upon filing a written letter of intent with the city clerk. No fee shall be imposed on the licensee to file such letter.
4. The delivery of any packaged distilled spirits, except by the holder of a retail package liquor store, is prohibited.”

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

 Section 3. 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be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.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 4. Except as modified herein, The Code of Senoia, 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. The city attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The city clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

 Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

First Reading: November 2, 2020

Second Reading: November 16, 2020