

ORDINANCE 2015-09

AN ORDINANCE OF THE CITY OF SMYRNA, GEORGIA, PROVIDING FOR THE AMENDMENT OF THE CODE OF ORDINANCES OF THE CITY OF SMYRNA, CHAPTER 6, ALCOHOLIC BEVERAGES Article II, Division 2, Applications, to amend Section 6-118 (4) and (6)

Sec. 6-118. - Distance from certain locations.

(a)

It is the policy of the city that, in keeping with the purposes of this article, any premises proposed for license for the sale of alcoholic beverages shall be at a suitable distance from a school, church, park, public building, library, and residence.

(b)

A suitable distance shall be as follows:

(1)

For a license for package distilled spirits, a suitable distance is 600 feet from a school, and 300 feet from a church, park, public building, library, or residence.

(2)

For a license for pouring distilled spirits, a suitable distance is 600 feet from a school, and 200 feet from a church, park, public building, library or residence; provided, however, in no event shall the primary customer entrance of the proposed premises be located closer than 75 feet from the property line of the school, church, park, public building, library, or residence.

(3)

For a license for package wine and malt beverages with or without the wine specialty shop add on, a suitable distance is 600 feet from a school, and 300 feet from a church, park, public building, or library; provided that the distance from a church, park, public building, or library shall be waived when the applicant is a grocery store.

(4)

For a license for pouring wine and malt beverages, a suitable distance is 600 feet from a school, and 200 feet from a church, park, public building, library or residence; provided, however, in no event shall the primary customer entrance of the proposed premises be located closer than 75 feet from the property line of the school, church, park, public building, library, or residence. However, at a public hearing, advertised in the same manner that is specified in Section 6-113 herein, the city may waive the distance requirements of this section if satisfactory evidence is produced to cause the city to conclude that there would be no adverse effect to the value of the property that is within the prohibited set back area if a license is granted.

(5)

For a license for wholesale, or for a license for manufacture, a suitable distance is 600 feet from a school, and it is 600 feet from a church, park, public building, library, or residence.

(6)

Within the area defined as Smyrna Central Downtown or within property zoned to a mixed use zoning category, a license for the pouring of distilled spirits or for pouring wine and malt beverages, it shall be 100 feet from a school, and 100 feet from a church, and no distance requirement from a residence, park, public building or library. However, at a public hearing, advertised in the same manner that is specified in Section 6-113 herein, the city may waive the distance requirements of this section if satisfactory evidence is produced to cause the city to

conclude that there would be no adverse effect to the value of the property that is within the prohibited set back area if a license is granted.

(7)

Within the area defined as Smyrna Central Downtown or within property zoned to a mixed use zoning category, a license for package wine and malt beverages with or without the wine specialty shop add on, a suitable distance shall be 300 feet from a church, and no distance requirement from a residence, park, public building, or library.

Approved by Mayor and Council this 18th day of May, 2015

A. Max Bacon, Mayor

Attest:

Terri Graham, City Clerk
City of Smyrna

Approved as to form:

Scott Cochran, City Attorney