

## **ORDINANCE 2021-12**

### **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, TO AMEND SECTION 6-62.**

**The following is a proposed code amendment to a section of Chapter 6 of the City Ordinance and are presented in legislative draft format:**

***Amend Section 6-62 of Chapter 6 – Alcoholic Beverage Ordinance:***

#### **Sec. 6-62. - Sunday sales permit.**

- (a) In addition to the hours of operation specified in this chapter, licensees in pouring distilled spirits and licensees in pouring wine and malt beverages, with or without brewpub add on, may sell and serve on Sundays from 11:00 a.m. until midnight and may continue to sell until 4:00 a.m. (Monday morning), provided that the licensee applies for and receives a Sunday sales permit for such sales from the city. The licensee must also hold a city alcoholic beverage pouring license.
- (b) Such applicants shall complete a form furnished by the city, supplying such information as may be requested. Prior to permit issuance, the applicant must make available records for audit purposes to determine and verify if the establishment is meeting all requirements prescribed in this chapter. The permit may be denied or removed for failure to so conform or failure to produce satisfactory evidence of conforming.
- (c) All annual permit renewals shall be made in the same manner and during same time periods as other alcoholic beverage license renewals. All renewals are subject to audit prior to being renewed to ensure compliance with this section. All renewal applications shall be accompanied by a statement by a certified public accountant that no more than 50 percent of sales are derived solely from the sale of alcoholic beverages.
- (d) No Sunday sales permit is transferable.
- (e) A fee for issuance of the Sunday sales permit may be established and/or changed from time to time by the governing body by resolution, and a schedule of fees shall be maintained in the office of the city clerk.
- (f) The Sunday sales permit shall be subject to any requirements in this chapter pertaining to enforcement and revocation proceedings and shall be automatically revoked if the alcoholic beverage pouring license is revoked.

This ordinance shall take effect on June 11, 2021 and is passed and duly adopted this 7th day of June, 2021.

CITY SEAL:

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The Honorable Derek Norton  
Mayor, City of Smyrna, Georgia

ATTEST:

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Heather Peacon-Corn  
City Clerk, City of Smyrna, Georgia

Approved as to form:

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Scott A. Cochran, City Attorney