

ORDINANCE 2021-09

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, TO AMEND SECTION 6-2, 6-85 and 6-124.

The following are proposed code amendments to several sections of the Chapter 6 of the City Ordinance and are presented in legislative draft format:

Amend Section 6-2 of Chapter 6 – Alcoholic Beverage Ordinance to add the following definitions:

Sec. 6-2. - Definitions.

Private dog park means a privately owned and operated dog park. Any such facility shall have a minimum of 25-dues paying members; and, shall derive no more than 25 percent of its total annual gross revenue from alcohol sales. Total annual gross revenue may include daily rates, memberships, non-alcoholic beverages, pre-packaged snacks, merchandise sales, special event proceeds, and dog treats as revenue sources.

Except as provided in this definition, a private dog park shall be subject to the same requirements as on-premises eating establishments, including hours of permitted alcohol sales.

Add Section 6-85 to Chapter 6 – Alcoholic Beverage Ordinance to add the pouring license requirements for private dog parks:

Sec. 6-85. – Private Dog Parks.

In order to be eligible for a pouring license, a private dog park must meet the definition of private dog park as set forth in Section 6-2 herein as well as the following requirements:

- (1)Has a minimum of 25 due-paying members;
- (2)Derives no more than 25 percent of its total annual gross revenue from alcohol sales. Total annual gross revenue may include daily rates, memberships, non-alcoholic beverages, pre-packaged snacks, merchandise sales, special event proceeds, and dog treats as revenue sources.

Except as provided in this definition, a private dog park shall be subject to the same requirements as on-premises eating establishments, including hours of permitted alcohol sales

Amend Section 6-124 of Chapter 6 – Alcoholic Beverage Ordinance to add private dog parks to the list of exempt licensing types from the pouring requirements:

Sec. 6-124. - Pouring requirements.

No pouring license, except a license for a wine specialty shop, growler specialty shop, cigar specialty shop, brewery, brewpub, winery, non-profit private club, special event facility, private dog parks, hotel sundry shop/hotel reception or educational tasting, shall be issued to, or held by, any applicant unless at least 50 percent of the business by volume, when considering the total of sales from alcoholic beverages and food prepared to be consumed on the premises, shall be from the sale of prepared foods to be consumed on the premises.

- (1) All establishments licensed to pour shall submit a quarterly audit showing the sales of alcoholic beverages and food prepared on the premises and nonalcoholic drinks to the city business license office no later than at the time of renewal for the coming license year.
- (2) Authorized officials of the city may examine the records of applicants at any reasonable time to ascertain that the requirements of this section are met.
- (3) The dining area or serving area of the applicant must have a minimum seating capacity of 40.

This ordinance shall take effect on June 1, 2021 and is passed and duly adopted this 17th day of May, 2021.

CITY SEAL:

The Honorable Derek Norton
Mayor, City of Smyrna, Georgia

ATTEST:

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

Approved as to form:

Scott Cochran, City Attorney