

1 STATE OF GEORGIA

2

3 CITY OF COLLEGE PARK

4

5

6

7 ORDINANCE NO. 2017-03

8

9

10 AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF
11 COLLEGE PARK, GEORGIA, CHAPTER 3, ALCOHOLIC BEVERAGES, ARTICLE
12 I, IN GENERAL; TO PROVIDE SEVERABILITY; TO PROVIDE PENALTIES; TO
13 PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN
14 ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL
15 PURPOSES.

16

17

WHEREAS, the duly elected governing authority of the City of College Park,
Georgia (the "City") is the Mayor and Council thereof; and

18

19

WHEREAS, the City desires to provide a convenient and efficient means of
better regulating the issuance of alcohol licenses within the City; and

20

21

WHEREAS, the amendments contained herein would benefit the health, safety,
morals and welfare of the citizens of the City.

22

23

BE IT AND IT IS HEREBY ORDAINED by the Mayor and Council of the
City of College Park, Georgia, and by the authority thereof:

24

25

26

Section 1. The City's Code of Ordinances is hereby amended adding to
Section 3-1 (Definitions), of Article I (In General) of Chapter 3 (Alcoholic Beverages)
the following text, to read and to be codified as follows:

27

28

29

“(6.1) *Licensee*: The licensee for all businesses shall be at least 21 years of age, and one
of the following individuals:
a. The operator of the business, if that business is operated by an individual; or

30

31 b. A partner of the partnership that operates the business, or an officer duly
32 appointed by said partnership; or

33 c. An officer of the corporation which operates the business; or

34 d. Any individual named as a *license* representative of the business in accordance
35 with this chapter.

36 (6.2) *License representative*: If a *license* representative is required, such *license*
37 representative shall be a resident of Fulton, Clayton, Henry, Fayette, Walton, Douglas,
38 Cobb, Paulding, Newton, Cherokee, Gwinnett, Forsyth, DeKalb, Rockdale, Bartow,
39 Carroll, or Pickens counties and a manager of the business who is on the premises on a
40 regular basis.”

41

42 **Section 2.** The preamble of this Ordinance shall be considered to be and is

43 hereby incorporated by reference as if fully set out herein.

44 **Section 3.** This Ordinance shall be codified in a manner consistent with the laws

45 of the State of Georgia and the City of College Park.

46 **Section 4.** (a) It is hereby declared to be the intention of the Mayor and Council

47 that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,

48 upon their enactment, believed by the Mayor and Council to be fully valid, enforceable

49 and constitutional.

50 (b) It is hereby declared to be the intention of the Mayor and Council that, to the

51 greatest extent allowed by law, each and every section, paragraph, sentence, clause or

52 phrase of this Ordinance is severable from every other section, paragraph, sentence,

53 clause or phrase of this Ordinance. It is hereby further declared to be the intention of the

54 Mayor and Council that, to the greatest extent allowed by law, no section, paragraph,

55 sentence, clause or phrase of this Ordinance is mutually dependent upon any other

56 section, paragraph, sentence, clause or phrase of this Ordinance.

57 (c) In the event that any phrase, clause, sentence, paragraph or section of this

58 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or

59 otherwise unenforceable by the valid judgment or decree of any court of competent
60 jurisdiction, it is the express intent of the Mayor and Council that such invalidity,
61 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
62 render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases,
63 clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent
64 allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the
65 Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

66 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
67 expressly repealed.

68 **Section 6.** Penalties in effect for violations of Chapter 1 of the Code of
69 Ordinances, City of College Park, Georgia at the time of the effective date of this
70 Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in
71 full force and effect.

72 **Section 7.** The effective date of this Ordinance shall be the date of adoption
73 unless otherwise stated herein.

74

75 **ORDAINED** this 20th day of February, 2017.

76

77

78

79

80

81

82

83

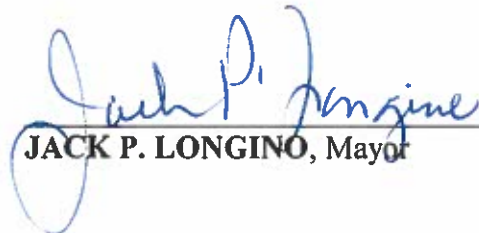
84

85

86

87

CITY OF COLLEGE PARK, GEORGIA



JACK P. LONGINO, Mayor

88 **ATTEST:**

89

90

91

92

93

94



MELISSA BROOKS, City Clerk

96

97

98 **APPROVED AS TO FORM:**

99

100

101

102

103

104

105



STEVEN FINCHER, City Attorney

106

107