

1 STATE OF GEORGIA

2  
3 CITY OF COLLEGE PARK

4  
5 ORDINANCE NO. 2016-13

6 AN ORDINANCE AMENDING SECTION 3-41, SAME—PAYMENT DATES, OF ARTICLE  
7  
8 II, LICENSES, OF CHAPTER 3, ALCOHOLIC BEVERAGES; TO PROVIDE FOR  
9 SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN  
10 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

11 WHEREAS, the duly elected governing authority of the City of College Park (“City”) is  
12 the Mayor and Council thereof; and

13 WHEREAS, the City desires to amend Section 3-41 of its Code of Ordinances to clarify  
14 language dealing with payment dates for alcohol license fees; and

15 WHEREAS, the health, safety, and welfare of the citizens of College Park, Georgia, will  
16 be positively impacted by the adoption of this Ordinance.

17 BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF  
18 THE CITY OF COLLEGE PARK, GEORGIA, and by the authority thereof:

19 Section 1: The Code of Ordinances, City of College Park, Georgia, is hereby amended  
20 by striking the existing text of Section 3-41, Same—Payment Dates, of Article II, Licenses, of  
21 Chapter 3, Alcoholic Beverages, and, in lieu thereof, inserting the following:

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23 “Sec. 3-41. – Same—Payment dates.

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25 All license fees for the succeeding year shall be due by the close of business on  
26 December 31 of the previous year. If said license fees are not received on or  
27 before the close of business on December 31 of the previous year, such licensee  
28 shall immediately cease the sale of alcohol. If December 31 falls on a day in  
29 which the city is not open for business, including weekends or holidays, the due

30 date for license fees shall be the immediately preceding business day. In addition,  
31 such licensee shall be required to submit a new application to the city for a  
32 license, and such new application must be approved by the city, before resuming  
33 the sale of alcohol. Such new application shall be treated as a new application  
34 and is subject to all ordinances and statutes in effect at the time of submission.  
35 License fees paid after January 31 shall be subject to a delinquent penalty of five  
36 percent (5%) of the amount of the license fee for each thirty (30) day period the  
37 fee remains unpaid.”

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39 Section 2. The preamble of this Ordinance shall be considered to be and is hereby  
40 incorporated by reference as if fully set out herein.

41 Section 3. This Ordinance shall be codified in a manner consistent with the laws of the  
42 State of Georgia and the City.

43 Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all  
44 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their  
45 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

46 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest  
47 extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this  
48 Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this  
49 Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the  
50 greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this  
51 Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase  
52 of this Ordinance.

53 (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance  
54 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
55 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the  
56 express intent of the Mayor and Council that such invalidity, unconstitutionality or

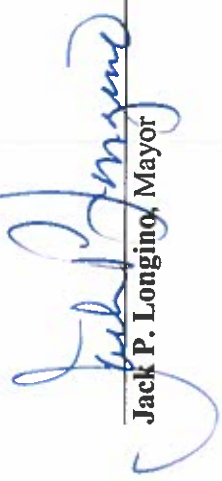
57 unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional  
58 or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or  
59 sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases,  
60 clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional,  
61 enforceable, and of full force and effect.

62 Section 5. All ordinances and parts of ordinances in conflict herewith are hereby  
63 expressly repealed.

64 Section 6. The effective date of this Ordinance shall be the date of adoption unless  
65 otherwise stated herein.

66  
67 **ORDAINED** this 18<sup>th</sup> day of April, 2016.  
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**CITY OF COLLEGE PARK, GEORGIA**

  
**Jack P. Longino, Mayor**

**ATTEST:**

  
**Melissa Brooks, City Clerk**

**APPROVED BY:**

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94 **Steven M. Fincher, City Attorney**

A handwritten signature in blue ink, appearing to read 'SMF', is written over a horizontal line. The signature is stylized and cursive.