

AN ORDINANCE
TO BE ENTITLED

AN ORDINANCE TO AMEND THE ALCOHOLIC
BEVERAGE ORDINANCE, ARTICLE H OF PART 6
OF THE CODE OF THE CITY OF SAVANNAH (2003)
SECTIONS 6-1204, 6-1205 AND ADDITION OF CHAPTER 9
TO RECOGNIZE STATE LAW CHANGES; TO REPEAL
ALL ORDINANCES IN CONFLICT HEREWITH; TO
PROVIDE EFFECTIVE DATES AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia in regular meeting of Council assembled, and pursuant to lawful authority thereof;

SECTION 1: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) Section 6-1204, Definitions, be amended by adding thereto:

(s) “*Manufacturer*” means a Class B license holder and refers to any maker, producer, or bottler of an alcoholic beverage as defined by Title 3 of the Official Code of Georgia Annotated, as amended, which also includes:

- (1) In the case of distilled spirits, any person engaging in distilling, rectifying, or blending any distilled spirits; provided, however, that a vintner that blends wine with distilled spirits to produce a fortified wine shall not be considered a manufacturer of distilled spirits;
- (2) In the case of malt beverages, any brewer; and
- (3) In the case of wine, any vintner.

SECTION 2: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) Section 6-1204, Definitions, subsection (a)(2), “Ancillary retail package store”, be deleted in its entirety and a new Section 6-1204(a)(2) be inserted in lieu thereof as follows:

- (2) Derives from such retail sale of malt beverages or wine in unbroken packages less than 25 percent of its total annual gross sales.

SECTION 3: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) Section 6-1204, Definitions, subsection (n), “Sample”, be deleted in its entirety and a new Section 6-1204(n) be inserted in lieu thereof as follows:

(n) “*Sample*” means the *gratis* provision by a manufacturer, retail package store or ancillary retail package store of a one ounce or less portion of wine or malt beverage to a person over the age of 21.

SECTION 4: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) Section 6-1205(c), License Required, be deleted in its entirety and a new Section 6-1205(c) be inserted in lieu thereof as follows:

(c) The following licenses, or any combination thereof, may be issued pursuant to this Article; provided, however that such combination is not prohibited by Title 3 of the Official Code of Georgia Annotated, as amended, the regulations issued pursuant thereto, as amended, or any other applicable law concerning the sale or dispensation of alcoholic beverages.

LICENSE CLASS	APPLICANT CLASSIFICATION	DISTILLED SPIRITS	MALT BEVERAGE	WINE
A	Licensed Alcohol Caterer	1 (A1 is incompatible with Class E, F and G uses)	2 (A2 is incompatible with Class E, F and G uses)	3 (A3 is incompatible with Class E, F and G uses)
B	Manufacturer (Distiller = B1) (Brewer = B2)	1	2	3
C	Retail Dealer (on-premises consumption)	1	2	3
D	Retail Package Store (off-premises consumption)	1 (C1 and D1 are incompatible uses)	2 (C2 and D2 are incompatible uses)	3
E	Ancillary Retail Package Store	X (ineligible use)	2	3
F	Wholesaler	1	2	3
G	Complimentary Service	X (ineligible use)	2	3
H	Samples	1 (B1 is only compatible use)	2	3
I	Underage Permit	-----	-----	-----

SECTION 5: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) Section 6-1211(a), Hours of sale and operation for retail dealers, be amended by deleting the third sentence and inserting the following in lieu thereof:

All Class C licensees shall close no later than 2:55 a.m. on Sunday and shall not open before 7:00 a.m. on Monday.

SECTION 6: That Article H of Part 6 of the Code of the City of Savannah, Georgia (2003) be amended to add a new Division 8, Special Provisions Related to Distillers and Brewers, as follows:

Division 8. – Special Provisions Related to Distillers and Brewers.

Section 6-1222. Distillers and Brewers. Notwithstanding anything to the contrary set forth in this Article, distillers and brewers shall be permitted to provide Samples and shall have the same privileges as a Retail Dealer and a Retail Package Store, provided that such activities shall be subject to:

- (a) The limitations contained in Title 3 of the Official Code of Georgia, as amended; and
- (b) The license conditions and restrictions applicable to sales or dispensation conducted pursuant to Class C or Class D licenses set forth in the Article, respectively.

SECTION 7: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 8: This ordinance shall become effective when signed by the Mayor.

ADOPTED AND APPROVED: _____, 2017.

Mayor Eddie W. DeLoach

ATTEST:

CLERK OF COUNCIL