

ALCOHOLIC BEVERAGE ORDINANCE



Council Workshop
Thursday, April 25, 2019





- Alcoholic Beverages Ordinance
- New Zoning Ordinance (NewZO)
- Alcohol Density Overlay District Ordinance
- New ordinance to regulate Coin Operated Amusement Machines



ABO:

DEFINE CONVENIENCE STORE

- Retail establishment of up to 5,000 square feet of floor area
- Primarily sells food products, beverages, candy, tobacco items, newspapers and magazines, limited personal as well as household and car care items
- May/may not include limited on-site food preparation
- Class E license holder
- Sells malt beverages or wine in unbroken package, not for consumption on premises
- Less than 25% of its total annual gross sales derived from retail sale of malt beverages or wine in unbroken packages



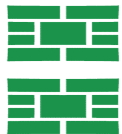
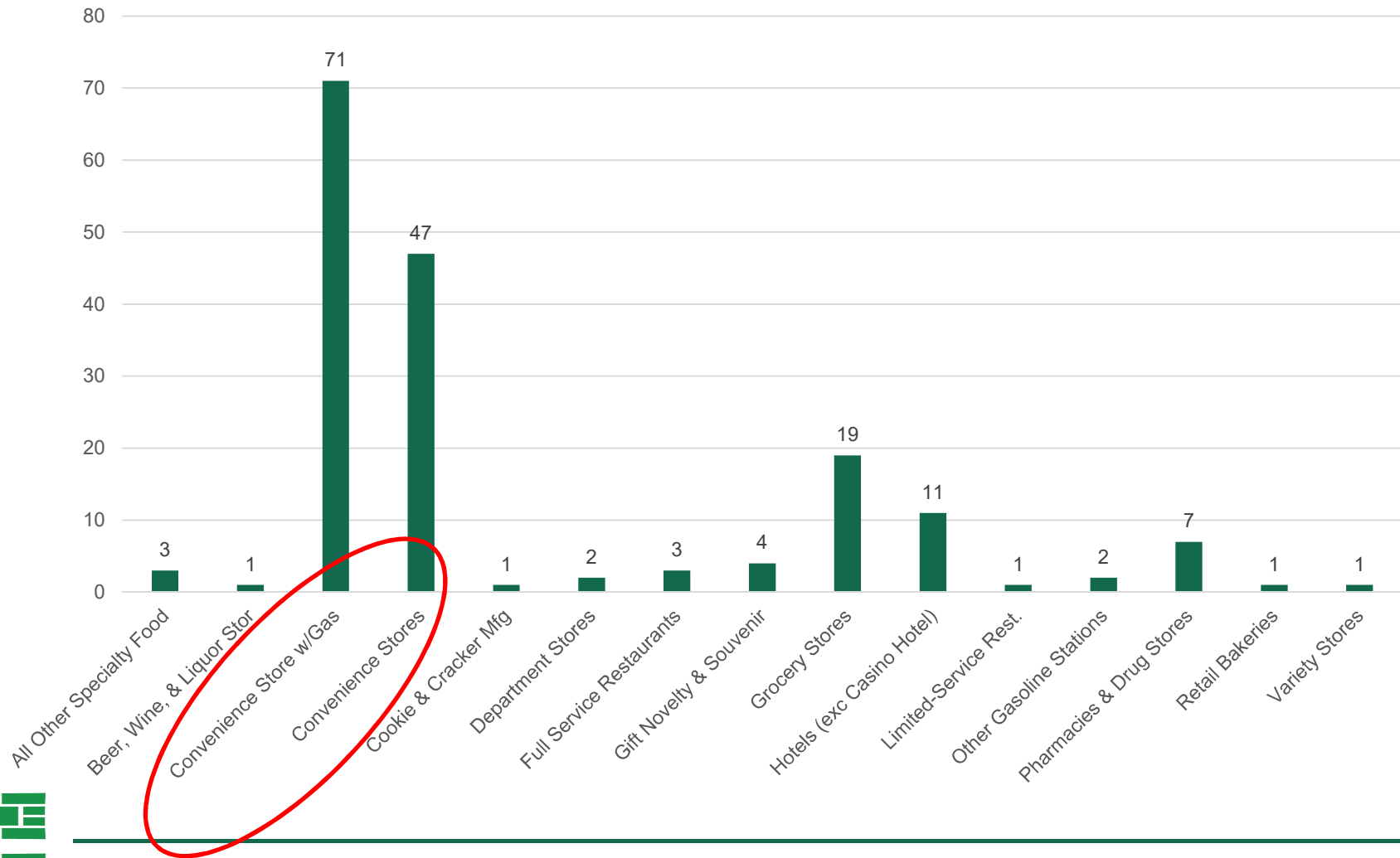
ABO: CREATE NEW SUB-CLASSIFICATION

LICENSE CLASS	APPLICANT CLASSIFICATION	DISTILLED SPIRITS	MALT BEVERAGE	WINE
E	Ancillary Retail Package Store <u>Ancillary Retail Package Store=CS1</u> <u>Convenience Store=CS2</u>	X (ineligible use)	2 <u>(CS2-2 is incompatible with all other uses)</u>	3 <u>(CS2-3 is incompatible with all other uses)</u>



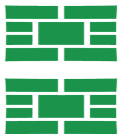
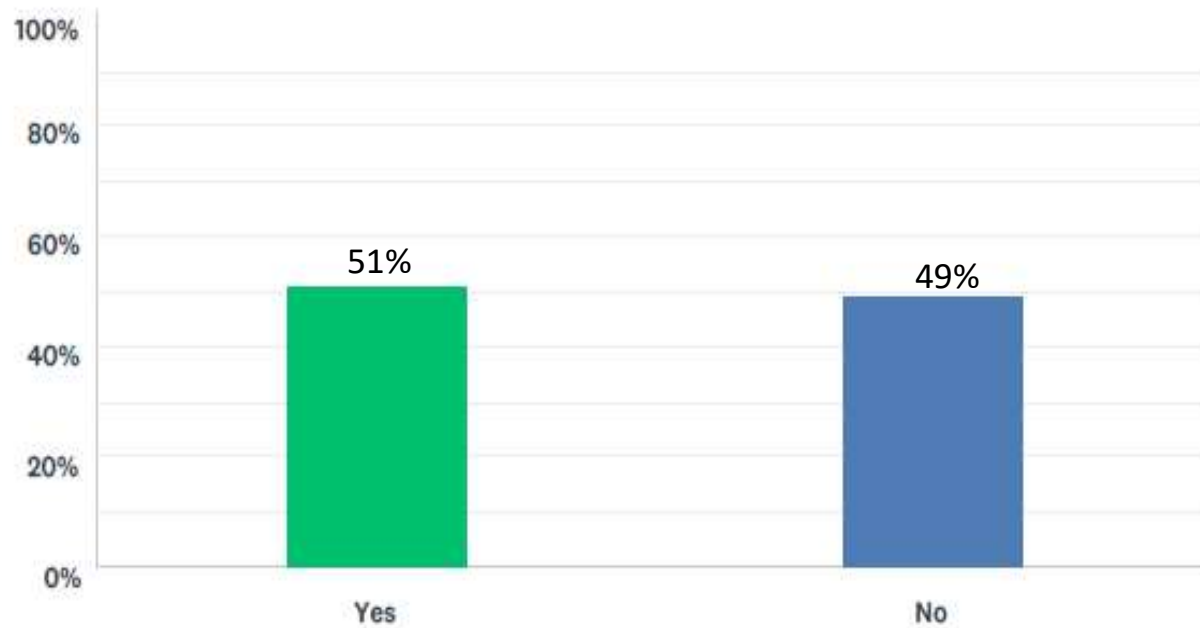
CURRENT CLASS E LICENSES:

ANCILLARY RETAIL PACKAGE STORES (174)

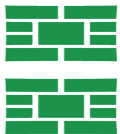
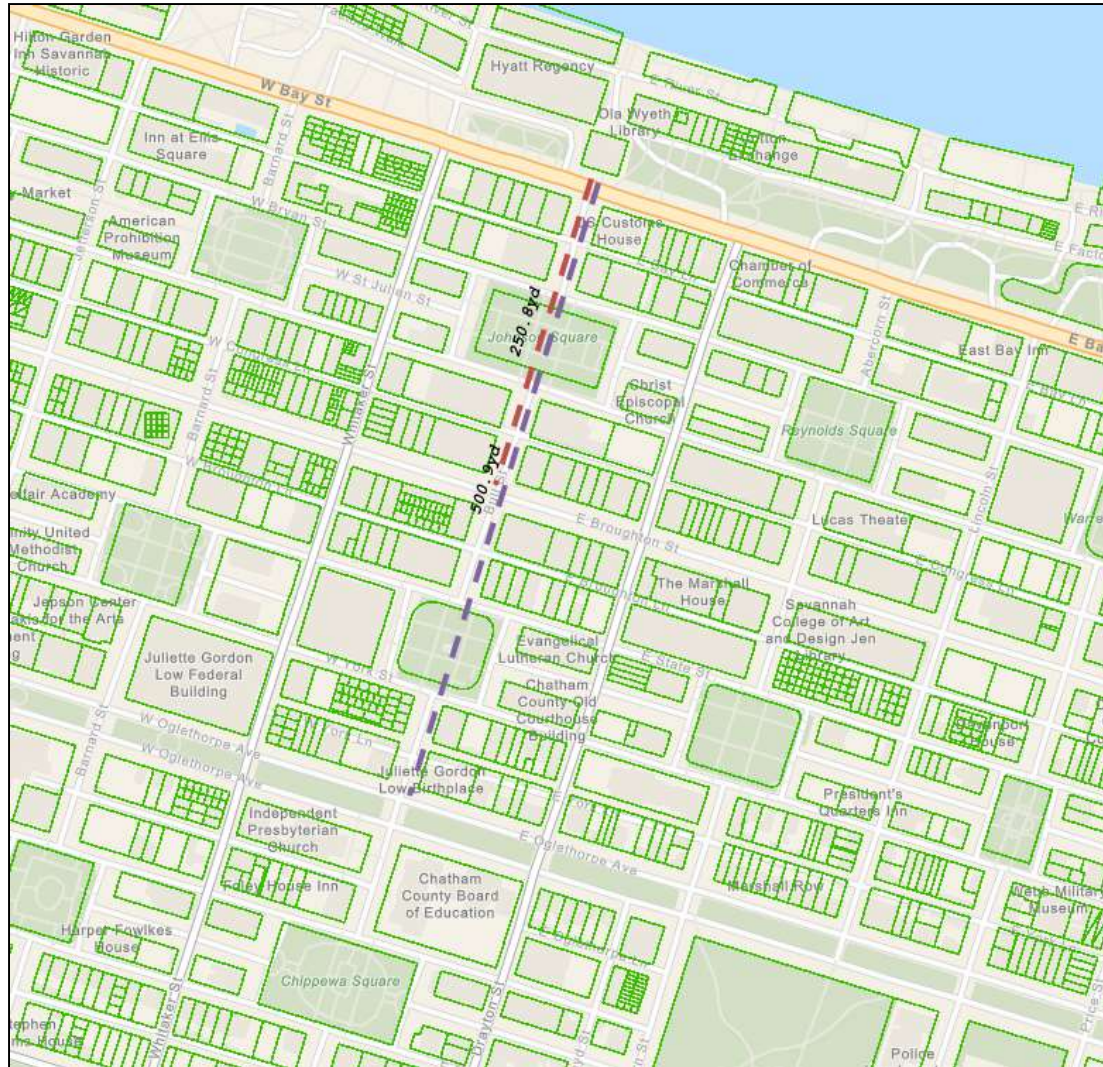


Q2 Do you feel as though there should be a distance requirement between convenience stores?

Answered: 1,067 Skipped: 6

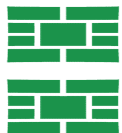
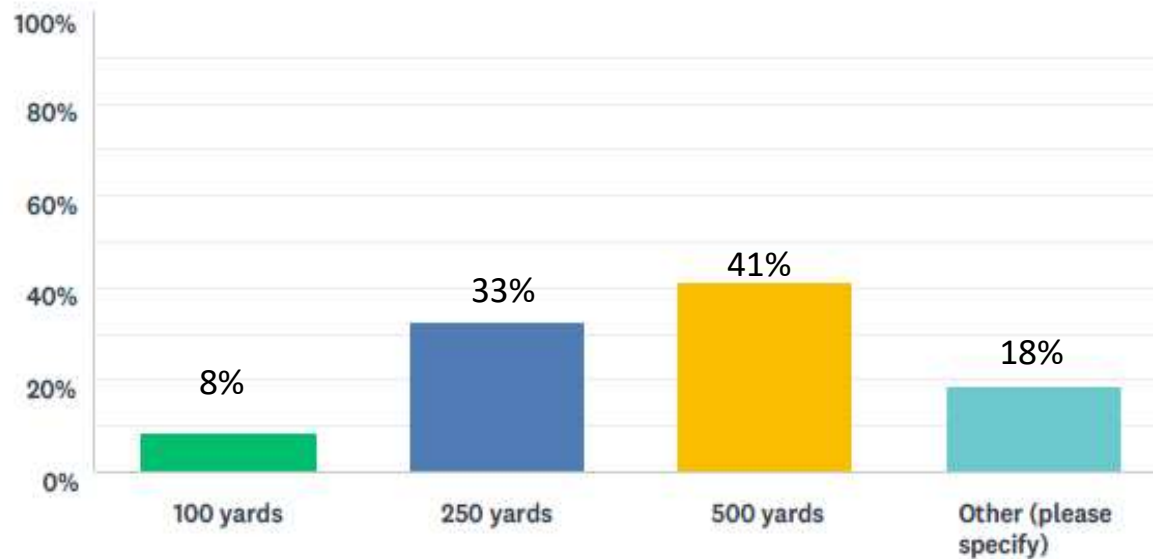


DISTANCE OPTIONS



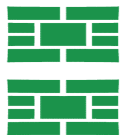
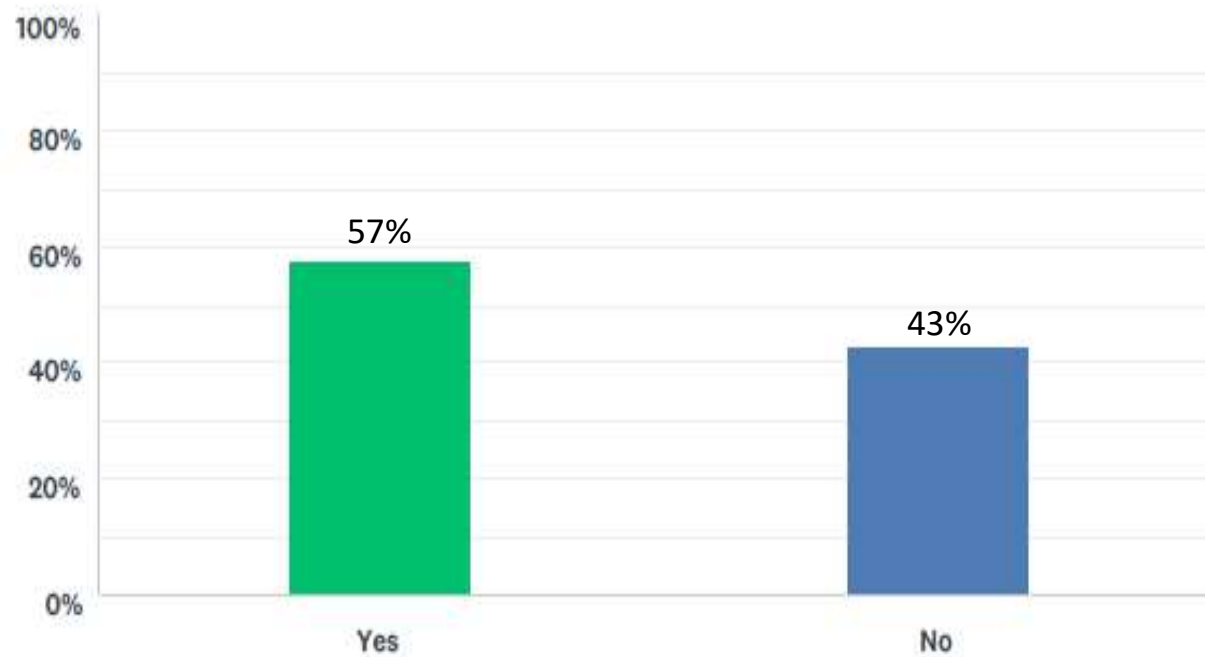
Q3 If yes, the distance would be measured by a straight line from the nearest point on the property line of proposed convenience store to the nearest point to the property line to another convenience store. Please use graphics below to determine what an appropriate distance requirement could be between convenience stores:

Answered: 527 Skipped: 546



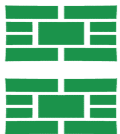
Q4 Should convenience stores be restricted to certain street types?

Answered: 1,040 Skipped: 33



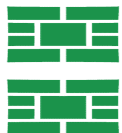
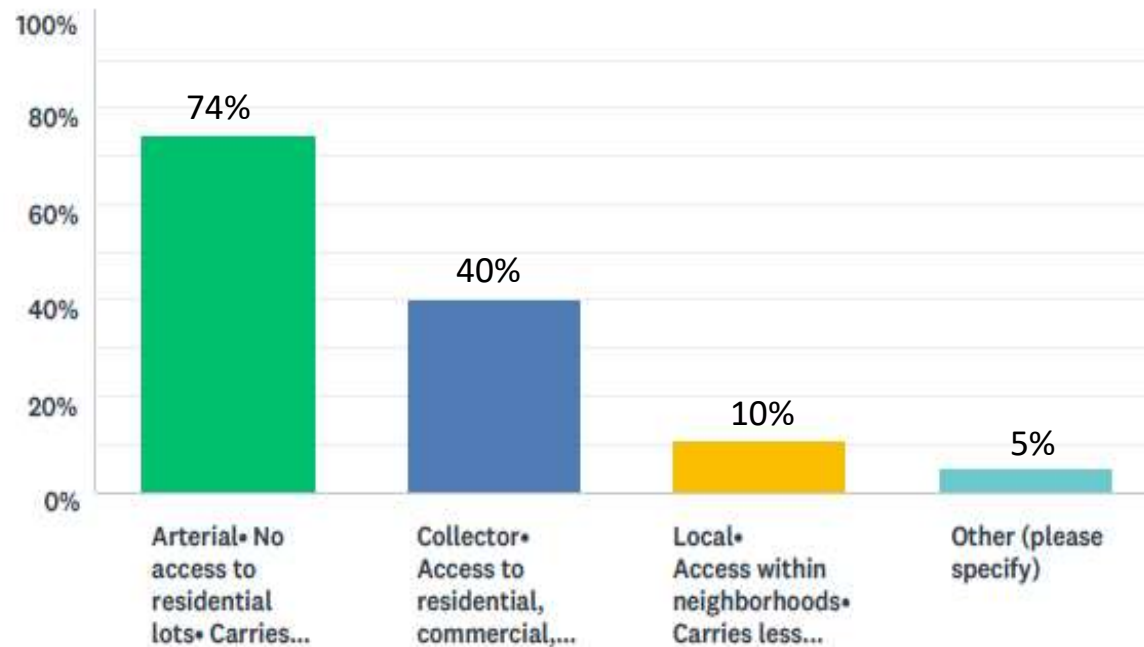
STREET TYPES

- Arterial (Major/Minor)
 - No access to residential lots
 - Carries 15,000 to 35,000 vehicles per day
 - Bay from Hwy 80 to General McIntosh
 - Bull from DeRenne to Park
- Collector
 - Access to residential, commercial, mixed-use & industrial areas
 - Carries 1,000 to 8,000 vehicles per day
 - Staley Ave
 - Pennsylvania from Skidaway to President
- Local
 - Access within neighborhoods
 - Carries less than 1,000 vehicles per day



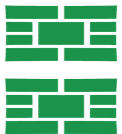
Q5 If yes, which kind of street types should convenience stores be restricted to:

Answered: 466 Skipped: 607



ZONING: USE DEFINITION

- Convenience Store:
 - Retail establishment of up to 5,000 square feet of floor area;
 - Primarily sells food products, beverages, candy, tobacco items, newspapers and magazines, limited personal, household and car care items; and
 - May/may not include limited on-site food preparation



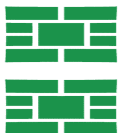
ZONING: USE CONDITIONS

For the BN- and IL-T zoning districts:

- Such use shall be located on a street classified as an arterial
- If such use is located on a street classified as a collector, it shall be:
 - 500 yards from another convenience store;
 - Measured by a straight line from the nearest point on the property line of the use to the nearest point to another similar use; and
 - Closes by 10:00 p.m.

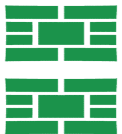
For the BC- zoning district:

- Such use shall be located on a street classified as an arterial as identified in Appendix A-1



ALCOHOL DENSITY OVERLAY ORDINANCE

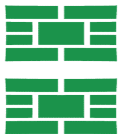
- Approved by Council in January 2018
- Purpose:
 - Address the concentration of establishments engaging in the sales and or service of alcohol in certain identifiable areas of the city that has contributed to undesirable conditions and activity, such as littering, loitering, aggressive panhandling, noise and increased vehicular traffic
 - Establish standards to curtail these actions from diminishing property values and the quality of life for residents
- 3 districts established:
 - West Bay Street
 - Montgomery Street
 - Ogeechee Road



OVERLAY: PROHIBITED USES

Certain uses engaged in the sales or service of alcohol cannot be established as a new use within an Alcohol Overlay district:

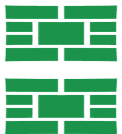
- Adult entertainment establishments
- Assembly halls greater than 2,000 square feet
- Event venues as defined by the city alcoholic beverage ordinance
- Cocktail lounges, taverns, bars and similar uses that are primarily engaged in the sales of alcoholic beverages for consumption on the premises
- Nightclubs
- Package stores (not including accessory or ancillary package sales)
- Convenience stores



OVERLAY: CONDITIONS

Conditions in addition to any condition(s) that may be required of the use within its base zoning district

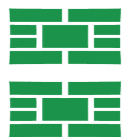
- Off-site consumption
 - Accessory or ancillary sales of alcohol (sale of beer and wine by the package) are permitted when a principal use has at least ~~5,000~~ 10,000 square feet of ~~retail~~ floor area.
 - Floor area square footage shall not include any area designated for package sales
- May be varied by the board of appeals



ABO: PUBLIC SAFETY PLAN

CURRENT STATUS: Class C establishments required to submit Public Safety Plan

- All licensee classes operating on-premises or off-premises alcohol establishments will have written public safety plan with application
- Subject to approval by Savannah Police Department (SPD)
- Class A licensees shall submit public safety plan to SPD at the time an application for temporary event permit is submitted

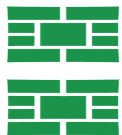


— Be Ready. **Be Safe.** —

ABO: DEFINE TEMPORARY EVENT

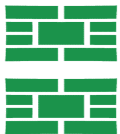
CURRENT STATUS: Must be private or non-profit to qualify, loose restrictions, 298 licensed in 2018

- Closed/private or non-profit event
- Maximum of 3 calendar days
- Not regularly recurring occasion
- Held in a specific location zoned for such an event
- May serve alcohol between the hours of 7:00 a.m. to 11:59 p.m.



ABO: TEMPORARY EVENT STANDARDS

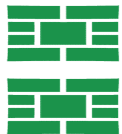
- No event shall exceed 3 days including Sunday—provision for City Manager to waive Sunday regulations
- Temporary permit not required for owner-sponsored events held in or on the owned premises; general public not invited; leased premises not included
- Not permitted more than 6 times a year:
 - For the same location
 - By the same license holder
- If temporary events exceed 6 times a year, location or individual must:
 - Apply for and receive an annual license
 - Require event holders to receive and serve alcohol through a licensed alcohol caterer
- Responsible party identified on the permit must remain on the premises throughout event



ABO: LICENSE TRANSFERS

CURRENT STATUS: Transfers allowed between new owners at licensed locations and to new locations for an established business

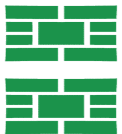
- Transfers eliminated – new licenses must be applied for and approved by Council
- Manager/Responsible Party removed from business – Must notify Revenue Department within 10 days and provide written notification or replacement manager/responsible party.
- Sudden death/disability of Licensee – Must notify Revenue Department within 10 days, 45-day grace period to allow for application and approval of new license
- Licensee separation for any other occurrence – Must notify Revenue Department within 10 days, surrender license until such time a new license is applied for an approved



ABO: BOUNCER

CURRENT STATUS: Bouncer not included in list of parties involved in the distribution of alcohol

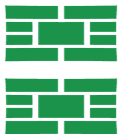
- Individual primarily performing duties related to verifying age for admittance, security, maintaining order or safety
- Doorman considered a bouncer
- Must be 21
- Must complete server training



ABO: TRAINING

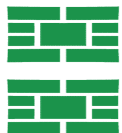
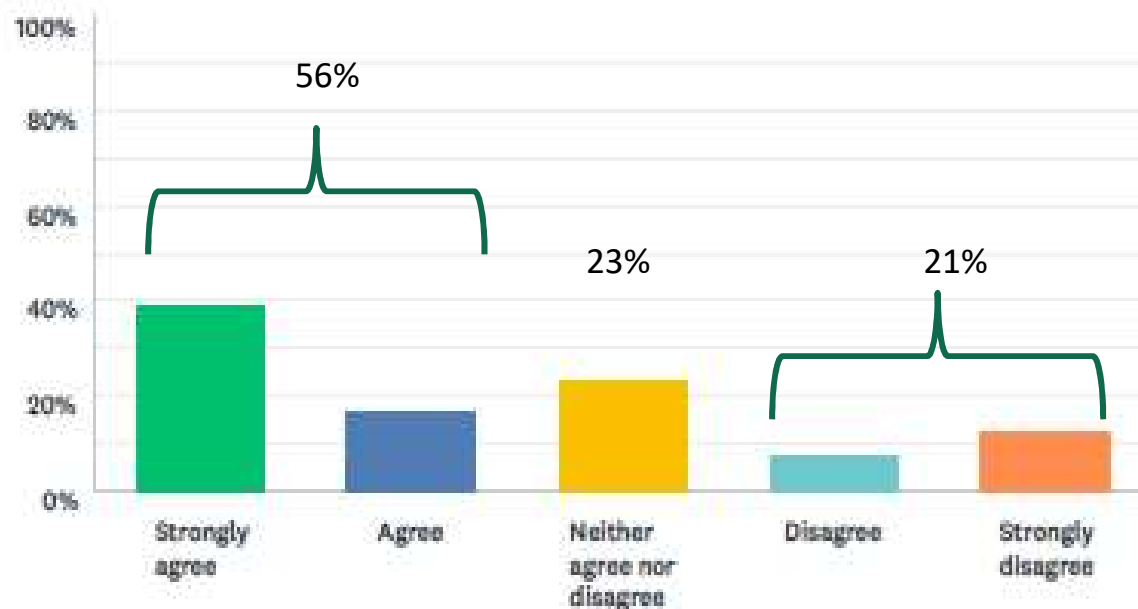
CURRENT STATUS: Training required for only Class A (Caterer), C (Retail Consumption), and H (Samples) licensees

- Ensure all employees complete alcohol awareness training as specified by the City Manager for:
 - Class D (Retail Package)
 - Class E (Ancillary Retail Package)



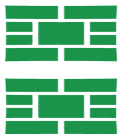
Q11 Do you support creating reasonable regulations at the local level to regulate for coin operated amusement machines?

Answered: 800 Skipped: 273

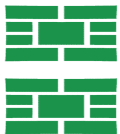
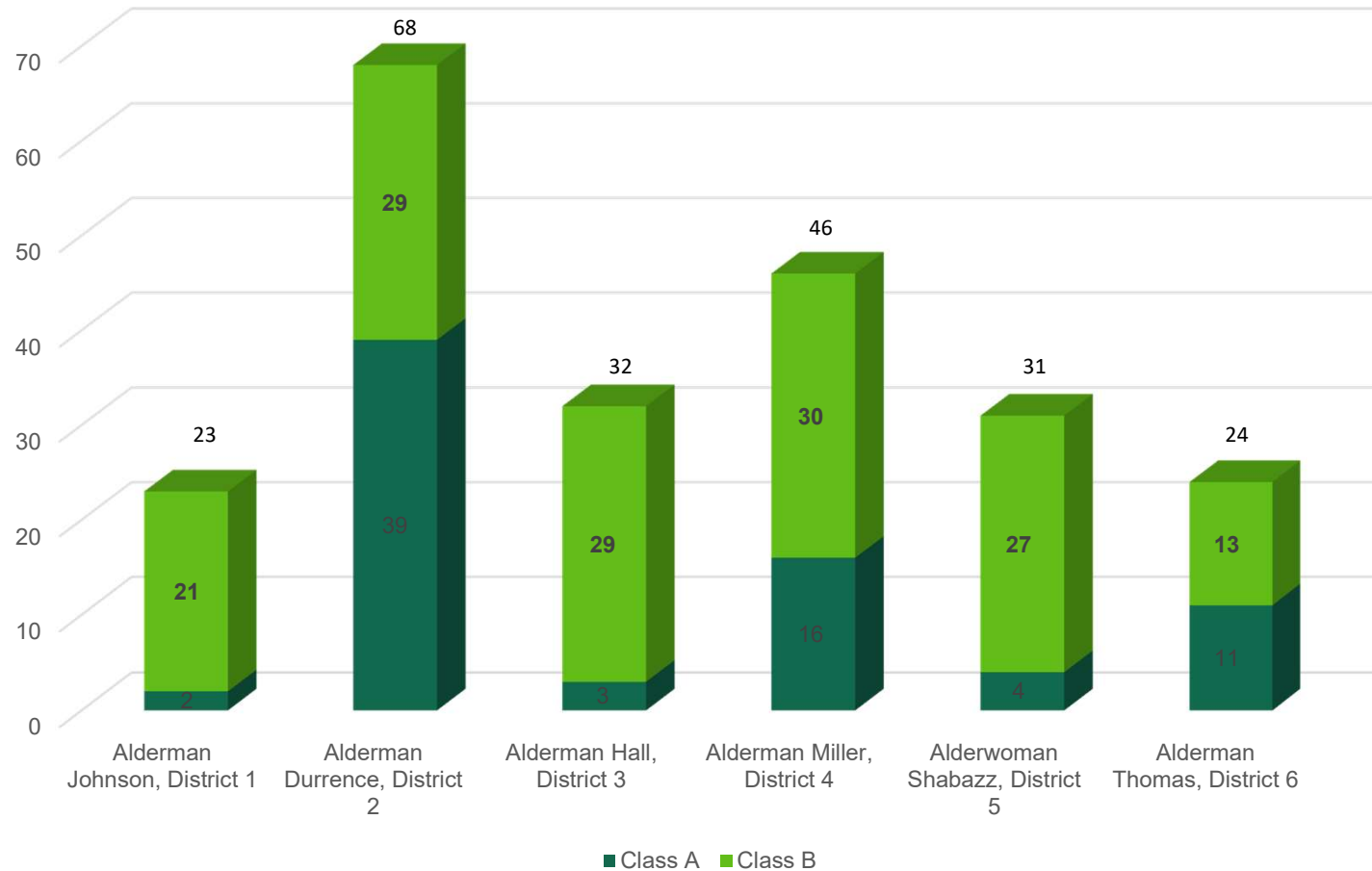


ORDINANCE OPTIONS

- Regulate coin operated amusement devices and regulation of game rooms
- State Code dictates options under O.C.G.A. §50-27-86
- Applicable to Class B bona fide coin operated amusement machines:
 - Allows a successful player to accrue points on the machine and carry over points won on one play to subsequent play(s)

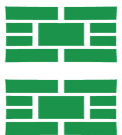


COIN OPERATED AMUSEMENT MACHINES



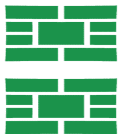
NEW ORDINANCE OPTIONS

- Require license with the City for any business with machines; nontransferable
- Require Annual Business Tax Certificate
- Limit Class B machines to 6 per location
- Allow City to inspect gross receipts for machines
- Post signage at establishment



NEW ORDINANCE

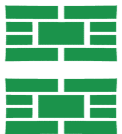
- Outline operating regulations:
 - Keep devices in plain view
 - Inspect machines
 - Require attendant (18 yrs old)
 - Prohibit loitering
- Suspend and revokes Alcoholic Beverage License for violations
- Allow for due process for suspected violators
- Provide fines for suspected violators—both businesses and those receiving funds



IMPLEMENTATION

Coin Operated Amusement Machine ordinance:

- May 2019: Present to Council (1st & 2nd Reading)
- Jun-Jul 2019: Outreach to impacted parties
- Aug-Sep 2019: Annual registration occurs
- Oct 2019: Enforcement begins



NEXT STEPS

- April 25
 - Resolution to extend temporary stay (30-days)
- May 9
 - Public Hearing on Alcohol Density Overlay District Ordinance
 - 1st Reading of the Alcoholic Beverages Ordinance
 - 1st Reading of Coin Operated Amusement Machine Ordinance
- May 23
 - 2nd Reading of the Alcoholic Beverages Ordinance
 - 2nd Reading of Coin Operated Amusement Machine Ordinance
 - 1st and 2nd Reading of Alcohol Density Overlay District Ordinance
- NewZO
 - June 6: Public Hearing
 - June 20: 1st Reading
 - July 5: 2nd Reading

