

AN ORDINANCE
TO BE ENTITLED

AN ORDINANCE TO AMEND PART 6, LICENSING AND REGULATION,
CHAPTER 1, BUSINESS AND OCCUPANTIONS,
ARTICLE H. ALCOHOLIC BEVERAGES,
OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA;
TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH
AND FOR OTHER PURPOSES

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

SECTION 1: That Section 6-1207(c) be deleted in its entirety and a new section 6-1207(c) be inserted in lieu thereof as follows:

(c) No license shall be issued under this Article to a person where the premises for which a license is sought does not meet the requirements of all state, county and city laws, ordinances and regulations which apply to said premises, including, but not limited to building, zoning, fire, and sanitation codes.

(1) *Exceptions to State Distance Requirements.* Georgia Code (O.C.G.A. § 3-3-21(b)(3) and § 3-4-47) grants municipalities the power to regulate the distance requirement for the retail sale of alcoholic beverages for consumption on the premises and the manufacture, distribution, and package sales of alcohol as it relates to churches, schools, and colleges. Nothing contained in this Section shall prohibit the licensing of the sale of alcoholic beverages by:

- (i) Hotels of 50 rooms or more which have been in continuous operation for a period of at least five years preceding July 1, 1981;
- (ii) Hotels of less than 50 rooms for the retail sale of alcoholic beverages solely to occupants of the hotel and their guests by the drink for consumption only on premises;
- (iii) Private social clubs which are open only to their members and their guests and not to the general public, which do not advertise for or solicit patrons, which have an operating dining room as an integral part of its facilities, which dispense alcoholic beverages solely to club members or their guests by the drink and for consumption only on the premises;
- (iv) Restaurants that sell alcoholic beverages as a part of the meal or to restaurant patrons waiting for a table to be served a meal in a public place, licensed as a restaurant, and kept, maintained, advertised, and held out to the public as a place where meals are actually and regularly served, such place being provided with an adequate and sanitary kitchen and dining room equipment and seating capacity of at least 40 people, having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests with the serving of alcoholic beverages to be consumed on premises as only incidental thereto;

- (v) No distance requirement shall apply to colleges within the Historic or Victorian Districts when the premises are zoned to allow such use.
- (vi) For businesses classified as banquet or reception halls, or event venues whose dominant business activity and related gross sales receipts are from the rental of facilities and catering of food for banquets, receptions, and events there shall be no distance requirements for businesses within the Historic District when the premises are zoned to allow such use and such businesses are otherwise determined eligible for a beverage alcohol license for consumption on premises.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall become effective when signed by the Mayor.

ADOPTED AND APPROVED: _____, 2018.

MAYOR

ATTEST:

CLERK OF COUNCIL