

**AN ORDINANCE
TO BE ENTITLED**

AN ORDINANCE TO AMEND DIVISION II, PART 6,
LICENSING AND REGULATION, CHAPTER 1, BUSINESS
AND OCCUPATIONS, ARTICLE H, ALCOHOLIC BEVERAGES,
OF THE CODE OF THE CITY OF SAVANNAH TO ADDRESS
RECENT STATE LAW CHANGES; TO CLARIFY CERTAIN
PROVISIONS OF THE CURRENT ORDINANCE; TO
CREATE NEW ADMINISTRATIVE PROVISIONS; TO
PROVIDE FOR EFFECTIVE DATES; TO REPEAL ALL
ORDINANCES IN CONFLICT HEREWITH; 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 the lawful authority thereof:

SECTION 1: That Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended to add the following new definitions to Section 6-1204:

Approved container means a tamper evident container that does not contain openings or straw holes, is sealed in a manner that is visibly apparent if the container has been subsequently opened or tampered with, and has an affixed label or marking that identifies the licensee that prepared and sold the mixed drink.

Curbside pick-up means the furnishing of purchased food and/or alcohol in an approved container by a licensee to a customer situated in a vehicle within a clearly designated pick-up area located within a paved parking area adjacent to the licensed premises.

Mixed drink means a beverage prepared by combining distilled spirits with a nonalcoholic liquid or nonalcoholic liquids.

Private armed security guard means any person employed, whether as an employee or independent contractor, by a private security company carrying a weapon who has completed approved training in safely handling and carrying a weapon.

Transitional permit means a permit that Class C licensees shall obtain if they suspend food service, particularly during night or early morning hours. Any Class C licensee operating under such model, whether partially or fully suspending food service, shall be required to obtain a transitional permit. Additional factors indicative of transitional activity include, but are not limited to, charging an entry fee during certain, but not all, times, utilizing security staff at certain, but not all,

times, and otherwise operating as a restaurant but transitioning to a bar during certain hours, particularly at night, as the terms “restaurant” and “bar” are commonly understood.

Tasting event means an event hosted by a Class D licensee under the terms and conditions set forth in Section 6-1209(t) of this article.

SECTION 2: That Section 6-1205, License required, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended as follows:

- Subsection (a) shall be deleted in its entirety and replaced with:

(a) No malt beverage, wine, distilled spirit, or any other alcoholic beverage may be sold, dispensed or manufactured in the city except upon obtaining a license or permit issued pursuant to the terms of this article by the office of the revenue director for the city.

- Subsection (c) shall be deleted in its entirety and replaced with:

(c) The following licenses/permits, or any combination thereof, may be issued pursuant to this article; provided, however that such combination is not prohibited by O.C.G.A., 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 category K shall be added as follows:

License class	Applicant classification	Distilled spirits	Malt beverages	Wine
K	Transitional Permit	—	—	—

- License class H shall be deleted in its entirety.
- A new subsection (d) shall be inserted as follows:

(d) Home delivery of alcohol shall not be permitted within the corporate limits of the city of Savannah.

SECTION 3: That subsection (b)(11) of Section 6-1207, Alcoholic beverage license determinations, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be deleted in its entirety and replaced as follows:

(b)(11) For occasions on which the applicant, manager, or any person with a financial interest in the establishment has voluntarily surrendered an alcoholic beverage license issued by the city, no license shall be issued to such person at the subject location for a period of 12 months immediately following the surrender. License surrenders will be accepted no later than fourteen days prior to a revocation hearing. License surrenders will not be accepted less than fourteen days prior to revocation proceedings.

SECTION 4: That subsection (e), Waiting periods, of Section 6-1207, Alcoholic beverage license determinations, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be deleted in its entirety and replaced as follows:

(e) Waiting periods.

(1) Revocations.

(A) When any license is revoked twice within a 24-month period as provided under this article, no further license shall be issued to such license holder for a period of 24 months from the date of the latest revocation.

(B) Upon two license revocations for a specific premises within a 24-month period, no further license shall be issued for the subject premises to any person, firm, or corporation at such location for a period of six months from the date of the most recent revocation.

(2) Denials. When a license is denied by the Mayor and Aldermen pursuant to the provisions of this article, no license shall be issued to an applicant for an alcoholic beverage license for the premises subject to the denial for a period of twelve months from the date of denial.

SECTION 5: That Section 6-1212, Sale; consumption outside licensed premises, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (c) as follows:

(c) With the exception of Class D license holders, no licensee may sell or permit the sale or dispensation of alcoholic beverages through windows, doors, or other openings to sidewalks, parking lots, or to any other area outside the licensed premises, excluding approved adjacent patios.

SECTION 6: That Section 6-1213, Dispensing alcohol to persons or by persons in motor vehicles, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (c) as follows:

- (c) Class C licensees shall be permitted to sell mixed drinks for off-premises consumption in approved containers for curbside pick-up under the following conditions:
- (1) The mixed drink shall be prepared on the day of sale by an employee of the licensee and contain no more than 4.5 ounces of distilled spirits;
 - (2) The mixed drink shall be provided in an approved container;
 - (3) The mixed drink may not be provided to any individual under the age of 21 and such sale shall be limited to two mixed drinks per food entrée item ordered;
 - (4) The mixed drink shall be accompanied by a food order consisting of at least one entrée item and further accompanied by a sales receipt with a time stamp that indicates the date and time of day of such purchases;
 - (5) The mixed drink may only be sold for personal consumption and not resale. The person receiving the mixed drink and food entrée item must be the individual to whom they were sold and served by the licensee that received payment for the items;
 - (6) The mixed drink must be furnished with the accompanying, documented food order to the customer on the premises or via curbside pick-up; and
 - (7) When transported in a motor vehicle, the customer or delivery agent shall place the mixed drink in a locked glove compartment, a locked trunk, or in the area behind the last upright seat of a motor vehicle that is not equipped with a trunk.

SECTION 7: That Section 6-1209, License conditions and restrictions, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (t) as follows:

(t) Class D licensees may conduct tasting events subject to the following requirements:

- (1) No less than 14 days prior to conducting any such event, the licensee shall apply for and receive a permit from the city's Revenue Department;
- (2) Said licensee may serve no more than eight ounces of a malt beverage, five ounces of wine or one point five ounces of distilled spirits at one time per person and shall serve no more than three tastings per person and per category of alcoholic beverage;
- (3) A licensee shall conduct no more than 52 tastings per year;
- (4) A tasting event may last no more than four hours; and
- (5) The licensee may serve only one type of alcoholic beverage, either malt beverage, wine, or distilled spirits at event provided no more than four packages are open at any one time.

SECTION 8: That Section 6-1209, License conditions and restrictions, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (u) as follows:

(u) Bottle establishments; brown bagging.

(1) It shall be unlawful for the operator of any establishment that does not possess a license or permit issued under this article to serve, sell or keep for sale alcoholic beverages including unlicensed private clubs, public establishments, or places of business to allow any person to bring, keep, dispense, or sell any alcoholic beverages on said premises for use of consumption on premises

(2) It shall be unlawful for any person to bring, pour, or serve his/her own alcoholic beverage ("brown bagging") into any non-licensed establishment.

SECTION 9: That Section 6-1209, License conditions and restrictions, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (v) as follows:

(v) Private armed security guards.

(1) Private armed security guards utilized by licensed establishments shall:

- (A) Submit to a background check conducted by the Savannah Police Department;
- (B) Successfully complete server training pursuant to Section 6-1215 of this article; and
- (C) Successfully complete training in the safe carrying and handling of weapons by armed security guards in a course approved by the City Manager.

(2) Establishments licensed under this article shall be responsible for ensuring all required training is completed by a private armed security guard prior to him/her beginning work for the establishment. Documents evidencing all required successful course completion shall be submitted to the Savannah Police Department's Alcoholic Beverage Compliance unit. Such licensed establishments shall also maintain a copy of each armed security guard's background investigation, which shall be accessible at all times and provided to the Savannah Police Department upon demand. Licensees shall inform the Savannah Police Department's Alcoholic Beverage Compliance unit in writing of the conviction of an armed security guard of any felony or other event that would disqualify an individual from lawfully possessing a weapon within 30 days of such conviction. Licensees shall not utilize the services of any private security guard if such individual is disqualified from lawfully possessing a weapon.

(3) Private armed security businesses that furnish armed security guards to establishments licensed under this article shall conduct a comprehensive and complete background investigation of every individual carrying a weapon in the course and scope of his/her provision of security services.

SECTION 10: That Section 6-1209, License conditions and restrictions, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (w) as follows:

- (w) Licensees required to obtain a transitional permit (Class K) shall:
 - (1) Allow no patron under the age of 21 on the premises during transitional operations: those hours where food menu service is partially or fully suspended;
 - (2) Submit a revised occupant load reflecting the number of allowed patrons during transitional operations;
 - (3) Submit a security plan in compliance with the provisions of this article; and
 - (4) Install and maintain, in good working order, security cameras with audio and video capabilities within the licensed premises. Cameras shall be positioned to fully monitor and capture footage of all means of ingress and egress to the establishment utilized by patrons, stationary locations where monetary customer transactions occur, and at bars where alcoholic beverages are publicly served.

SECTION 11: That Section 6-1210, Open to inspection; cooperation with law enforcement, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (d) as follows:

(d) Administrative meetings. The Savannah Police Department is authorized to convene administrative meetings with licensees and their representatives, employees, and/or agents, when a licensee, including its representatives, employees and/or agents, has violated any provision of this article or applicable state law.

- (1) Purpose. Administrative meetings shall be intended to establish, in collaboration with a licensee, a corrective action plan designed to obtain compliance with all applicable portions of this article.
- (2) Procedure. Upon a violation of this article, the city shall transmit a letter of concern to the licensee detailing the violation(s). Such letter shall set a time, date, and location for the administrative meeting, to occur no sooner than seven days prior to an administrative meeting. The city may request relevant documents, which shall be produced by the licensee at the administrative meeting.
- (3) Attendance. Failure of the licensee to attend the administrative meeting and/or produce requested documentation shall constitute a violation of this section and result in a subpoena to Recorder's Court. Licensees may have an attorney present at the administrative hearing.
- (4) Postponements. A licensee may request a postponement, which shall be transmitted to abcunit@savannahga.gov. Such request shall include the

licensee's name, the establishment's name, the violation date, and a copy of the citation. Failure to request a postponement within seven days of the date of the letter of concern shall constitute a violation of this article and result in a subpoena to Recorder's Court.

- (5) Corrective action plans. Upon conclusion of the administrative meeting, a corrective action plan shall be prepared, which shall be signed by the licensee indicating his/her agreement to abide by the plan and the terms and conditions of this article. A copy of the agreement shall be provided to the licensee.

SECTION 12: That Section 6-1205, License required, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be amended by adding a new subsection (d) as follows:

- (d) Alcohol Review Committee.

- (1) Creation. The Alcohol Review Committee is hereby created which shall be comprised of a representative from each of the following: the Savannah Police Department's Alcoholic Beverage Compliance unit; the Clerk of Council's office; Code Compliance; Department of Public Health (Environmental Health); Human Services, Planning, Zoning and Urban Design; Revenue Department; and Development Services (GIS/Permitting). The Alcohol Review Committee's objective shall be to streamline and maximize efficiency in the alcoholic beverage licensing application process for prospective licensees.

- (2) Procedure. Prior to submitting an application for an alcoholic beverage license, a prospective applicant shall complete and submit the Alcohol Review Form, which may be found at www.savannahga.gov/alcoholreview shall also be accompanied with the fee specified in the city's annual Revenue Ordinance. Alcohol Review Forms shall be completed no less than 14 days prior to the standing Alcohol Review Committee meeting, which schedule shall be posted on the City's website at www.savannahga.gov/alcoholreview. The prospective applicant shall appear at the Alcohol Review Committee meeting he/she has selected along with all required documentation. The Alcohol Review Committee shall review all such material and determine whether the prospective applicant has met all requirements. If so, he/she will be provided with an application to apply for an alcoholic beverage license, which shall be completed and submitted by the applicant no later than ten business days after the meeting together with all applicable fees. At that time, the applicant shall receive a date upon which his/her application will be considered by the Mayor and Aldermen of the city of Savannah.

SECTION 13: That subsection (a) of Section 6-1215, Employee training regulations for retail consumption dealers, alcoholic beverage caterers and all others dispensing alcohol for consumption on premises, of Article H, Alcoholic Beverages, of Chapter 1, Business and Occupations, of Part 6, Licensing and Regulation, of Division II of the Code of the City of Savannah, Georgia shall be deleted in its entirety and replaced as follows:

(a) Every Class A, C and J licensee shall require that all persons employed as managers, servers, bartenders, doorpersons, private security guard, or any other employee, agent or subcontractor with the responsibility for serving, mixing or dispensing alcoholic beverages for on premise consumption complete server training, which training shall include, at a minimum, alcohol awareness training and other topics, as may from time-to-time be identified by the city manager. Within seven days of hire, each such person shall complete the required training and obtain a server training permit card from the city's Revenue Department.

Every Class D and E licensee shall require that all persons employed and involved in the direct sale of alcohol to customers complete alcohol awareness training as specified by the city manager. Within seven days of hire, each such person shall complete the required training and obtain a server training permit card from the city's Revenue Department.

SECTION 14: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 15: The foregoing revisions shall become effective on April 1, 2023.

ADOPTED AND APPROVED: _____

Van R. Johnson II, Mayor

ATTEST:

Mark Massey, Clerk of Council