

ORDINANCE NO. _____

**ORDINANCE TO AMEND ALCOHOLIC BEVERAGES PROVISIONS
RELATED TO THE HOURS OF SALE OF ALCOHOLIC BEVERAGES
BY THE DRINK ON SUNDAY**

WHEREAS, the City of Sugar Hill is charged with providing for the health, safety and welfare of the citizens of the City; and

WHEREAS, the City of Sugar Hill is authorized to regulate the sales of beer, malt beverages, wine, and distilled spirits in the City; and

WHEREAS, Senate Bill 17, was approved by the Georgia General Assembly during the 2018 Legislative Session and was signed by the Governor; and

WHEREAS, Senate Bill 17 authorizes the sales of alcoholic beverages by the drink for an additional hour and a half during the period of 11:00 a.m. and 12:30 p.m. on Sundays in any local government jurisdiction that desires to place same on a referendum for a vote on an election ballot and the referendum receives a majority approval; and

WHEREAS, in order to place the question on a referendum, a local governing authority must pass an Ordinance permitting sales of alcohol (by the drink) on Sundays during the additional hour and a half period and forward a copy of the Ordinance to the Elections Superintendent for placing on the ballot; and

WHEREAS, the City Council desires to amend the Code of the City of Sugar Hill to provide for Sunday sales of alcoholic beverages by the drink between 11:00 a.m. and 12:00 Midnight and desires to place the question for a referendum on a March 2019 special election ballot.

THEREFORE, the Council of the City of Sugar Hill, Georgia, hereby ordains as follows:

Section 1:

That subsection (a) of Section 6-303, Chapter 6 (Alcoholic Beverages) of the Code of Ordinances of the City of Sugar Hill, Georgia, is hereby deleted in its entirety and replaced with the following:

Sec. 6-303. Hours of sale.

(a) No one holding a license under this article shall furnish, sell or offer for sale any alcoholic beverage for consumption on the premises at any time except between the hours of 9:00 a.m. until 1:30 a.m. Monday through Saturday; and in eating establishments which derive at least fifty percent (50%) of their total annual gross revenue from the sale of prepared meals or food, between 11:00 a.m. and 12:00 midnight on Sunday.

Section 2:

That subsection (a) of Section 6-449, Chapter 6 (Alcoholic Beverages) of the Code of

Ordinances of the City of Sugar Hill, Georgia, is hereby deleted in its entirety and replaced with the following:

Sec. 6-449. Hours of sale.

(a) No one holding a license under this article shall furnish, sell or offer for sale any alcoholic beverage for consumption on the premises at any time except between the hours of 9:00 a.m. until 1:30 a.m. Monday through Saturday; and in eating establishments which derive at least fifty percent (50%) of their total annual gross revenue from the sale of prepared meals or food, between 11:00 a.m. and 12:00 midnight on Sunday.

Section 3:

Upon adoption of this Ordinance, a copy shall be forwarded to the City's Election Superintendent for inclusion on a March 2019 Special Election Ballot as a question as follows:

- () YES *Shall the governing authority of the City of Sugar Hill, Georgia, be authorized*
() NO *to permit and regulate Sunday sales of distilled spirits or alcoholic beverages*
for beverage purposes by the drink from 11:00 a.m. to 12:30 p.m.?

The City's Election Superintendent shall issue a call for the election as provided for herein and shall be authorized to take all actions necessary for this item to appear on a March 19, 2019 Special Election.

Section 4:

That the Election Superintendent is further authorized and directed to place an advertisement in the Gwinnett Daily Post once a week for two weeks immediately prior to the date of the March 19, 2019 Special Election where the above question shall be placed on the ballot, stating in the advertisement the date and purpose of this Referendum to be placed on the ballot.

Section 5:

It is the intention of the governing authority, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code Ordinances of the City of Sugar Hill, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 6:

This Ordinance shall become effective on April 1, 2019, so long as the Referendum authorized by this Ordinance is approved by the majority of the votes cast in the March 2019 Special Election. If the Referendum is not approved by a majority of the voters, this Ordinance shall be null and void.

Section 7:

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

IT IS SO ORDAINED, this ____ day of January, 2019.

Voting in Favor:

Voting in Opposition:

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Submitted to Mayor: _____

Approved by Mayor: _____

Steve Edwards, Mayor

ATTEST:

Jane Whittington, City Clerk