

**City of Waynesboro**  
**Alcoholic Beverages Amendment Ordinance**  
**Ordinance Number 2007-08-02**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYNESBORO, GEORGIA, CHAPTER 10 – ALCOHOLIC BEVERAGES AND CITY ORDINANCE 2004-04-01; TO PROVIDE FOR CODIFICATION; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing authority of the City of Waynesboro, Georgia is authorized under Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia to adopt reasonable ordinances to protect and improve the public health, safety, and welfare of the citizens of the City of Waynesboro, Georgia;

WHEREAS, the duly elected governing authority of the City of Waynesboro, Georgia is the Mayor and Council thereof;

WHEREAS, Official Code of Georgia Annotated (O.C.G.A.) Section 36-35-3 provides cities the power to adopt clearly reasonable ordinances, resolutions or regulations relating to the cities' property and affairs;

WHEREAS, the governing authority desires to revise the Code of the City of Waynesboro, Georgia for the purpose of revising provisions relating to the sale and regulation of alcoholic beverages;

THE MAYOR AND COUNCIL OF THE CITY OF WAYNESBORO HEREBY ORDAINS:

SECTION 1. AMENDMENTS TO CHAPTER 10 OF CITY CODE.

- (1) Chapter 10, Article I, Section 10-8 of the City Code is amended in its entirety as follows:

**Sec. 10-8. Hours and days of sale & operation.**

- (a) Licensed dealers engaging in the sale of alcoholic beverages by the drink for on-premises consumption are authorized to sell alcoholic beverages during the following periods:

- (i) Mondays through Fridays from 7:00 a.m. to 1:00 a.m.;
- (ii) Saturdays from 7:00 a.m. to 1:00 a.m. on Sunday;
- (iii) No alcoholic beverages may be sold following 1:00 a.m. on Sundays.

- (b) Licensed dealers engaging in the sale of alcoholic beverages by the package for off-premises consumption are authorized to sell alcoholic beverages during the following periods:

- (i) Monday through Fridays from 7:00 a.m. to 1:00 a.m.;
- (ii) Saturdays from 7:00 a.m. to 11:55 p.m.;
- (iii) No alcoholic beverages may be sold on Sundays.

- (c) Alcoholic beverages shall not be served or consumed on the premises of licensed dealers authorized to sell alcoholic beverages for on-premises consumption after 1:30 a.m.

- (2) Chapter 10, Article I, Section 10-12(j) of the City Code is amended as follows:

**Sec. 10-12. Other prohibited acts.**

- (j) No licensed dealer shall permit an employee or agent under eighteen (18) years of age to dispense, mix, prepare, serve, deliver, or sell any alcoholic beverage. Employees or agents of the licensed dealer, under the age of eighteen (18) years, may take orders from customers for alcoholic beverages but may not deliver or serve alcoholic beverages to customers. Persons younger than eighteen (18) years of age may sell alcoholic beverages at grocery stores and convenience stores provided that consumption will take place off-premises.

- (3) Chapter 10, Article I, Section 10-13 of the City Code, including its title, is amended in its entirety as follows:

**Sec. 10-13. Certain promotions and practices prohibited.**

- (a) No licensed dealer, his employees or agents, in connection with the sale of alcoholic beverages, shall:
- (1) Offer or deliver any free alcoholic beverage to any person;
  - (2) Deliver more than one alcoholic beverage to one person at a time;
  - (3) Sell, offer to sell, furnish or cause to be furnished to any person an unlimited number of alcoholic beverages during any set period of time for a fixed price, except at private functions not open to the public;
  - (4) Increase the volume of alcohol contained in a drink without proportionately increasing the price charged for such alcoholic beverage;
  - (5) Encourage or permit on the premises any game or contest which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize; and
  - (6) Sell, offer to sell, furnish or cause to be furnished any alcoholic beverages for a price less than the wholesale cost to the licensee.
- (b) No licensed dealer shall advertise or promote in any way, whether within or outside of the licensed premises, any of the acts or practices prohibited under this section.
- (c) Nothing in this section shall be construed to prohibit licensed dealers from offering free food or entertainment at any time, or to prohibit the licensed dealer from including an alcoholic beverage as part of a meal package, or to prohibit the sale or delivery of wine by the bottle or carafe, or the sale of Malt beverages by the pitcher or bucket.
- (d) Nothing in this section shall be construed to prohibit licensed dealers from advertising and promoting "Happy Hours", "drink specials", or other similar type events or occurrences through media and interior or exterior signage.

- (4) Chapter 10, Article II, Section 10-21(a) of the City Code is amended as follows:

**Sec. 10-21. Qualifications and requirements to apply.**

- (a) The person receiving a license for the sale of alcoholic beverages must be a person of good moral character and a citizen or legal resident alien of the United States.

SECTION 2. EFFECTIVE DATE.

The above-referenced amendments to the City Code shall become effective ten (10) days following the adoption of this Ordinance.

SECTION 3. SUPERCEDE/CODIFICATION.

The sections and subsections provided above shall supercede and replace the former corresponding sections and subsections of Chapter 10 of the City Code and City Ordinance 2004-04-01.

SECTION 4. REPEALER.


All City Code provisions, ordinances, parts of ordinances, or resolutions in conflict with the provisions of this Ordinance are hereby repealed.

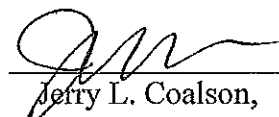
SECTION 5. SEVERABILITY.

If any part of this Ordinance is determined by a Court of competent jurisdiction to be invalid, only such part of this Ordinance declared to be invalid shall become void and all other parts shall remain valid and enforceable.

*(signatures on following page)*

Read, passed and adopted this 16<sup>th</sup> day of November, 2007.

  
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Jesse C. Stone, Mayor  
City of Waynesboro

Attested by:   
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Jerry L. Coalson,  
City Administrator

First Reading: September 17, 2007

Second Reading: November 5, 2007