

AN ORDINANCE

AN ORDINANCE AMENDING THE CODE OF SENOIA, GEORGIA AT CHAPTER 6, ALCOHOLIC BEVERAGES, TO PROVIDE FOR THE LICENSING OF ALCOHOLIC BEVERAGE MANUFACTURERS (DISTILLERY, BREWERY, WINERY) WITHIN THE CITY OF SENOIA; PROVIDING FOR BOTH ON-PREMISES AND OFF-PREMISES SALES OF MANUFACTURED ALCOHOLIC BEVERAGE PRODUCT; PROVIDING FOR SUNDAY OPERATION AND SALES OF PRODUCT; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; TO RESTATE AND REAFFIRM THE CODE OF SENOIA, GEORGIA, AS MODIFIED HEREBY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:

Section 1. The Code of Senoia, Georgia is hereby amended at Chapter 6, **ALCOHOLIC BEVERAGES**, to provide for the licensing within the City of Senoia of Alcoholic Beverage Manufacturers (Distilleries, Breweries, and Wineries) in conformance with Georgia law, providing for the operation thereof within the City, including both on-premise and off-premise sales of alcoholic beverage product manufactured at such facilities, to-wit:

- (a) “**Sec. 6-12, CLASSIFICATION OF LICENSES**, is hereby amended to add a new classification (13) Manufacturers (distillery, brewery, winery) (NOTE: A brewpub is classified separately as it has to also be an eating establishment and has different State regulations on the sale of product. A microbrewery is classified as a brewery.)

- (b) **Sec. 6-19, Location restrictions; wholesalers' and manufacturers' licenses**, is hereby deleted in its entirety and revised to read as follows:
“No manufacturer's or wholesalers' license shall be issued except for premises located within a zoning classification permitting warehousing and/or light manufacturing and meeting all requirements of the city zoning and developmental ordinances; provided, however, brewpubs, and small manufacturers who specialize in a craft product and that provide for tastings, on-premise and off-premise sales in accordance with State law shall be considered a commercial retail business and may locate in commercially-zoned premises.”

- (c) **Sec. 6-27. License fees**, is hereby amended in subpart (a) by adding a new category for Manufacturer’s license (distillery, brewery or winery) in the amount of \$5,000.00.

- (d) There is hereby enacted a new **Sec. 6-61. Manufacturers**, to read as follows:

- (1) It shall be unlawful to operate as an alcoholic beverage manufacturer within the City of Senoia without first obtaining a license from the City and paying such fees and taxes as required by law and this ordinance.
- (2) Notwithstanding any other provision to this chapter 6, tastings and direct-to-consumer sales, whether on-premises or off-premises, from the license premises of the manufacturer shall be permitted in strict accordance with State law and regulations of the Georgia Department of Revenue, as from time to time amended. A licensed brewer may furnish or sell growlers directly to consumers in accordance with State law and regulations.
- (3) Notwithstanding any other provisions of this Code, a licensed manufacturer may operate and sell or furnish its product directly to consumers on Sundays between the hours of 12:30 p.m. and Midnight without having to satisfy any food sales requirements.

Section 2. All ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

Section 3. Should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

Section 4. Except as modified herein, The Code of Senoia, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The city attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The city clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

Section 5. This ordinance shall become effective immediately upon adoption on second and final reading.

First Reading: June 15, 2020

Second Reading: July 6, 2020