AN ORDINANCE BY COUNCILMEMBER Ceasar C. Mitchell

03-O -0123

AN ORDINANCE TO WAIVE THE PROVISIONS OF CHAPTER 10, ARTICLE II, SECTION 10-209 (c) AND (d) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA SO AS TO MODIFY THE HOURS OF OPERATION ON FEBRUARY 10, 2003 ONLY, FOR ALL LICENSED ESTABLISHMENTS AUTHORIZED TO SELL ALCOHOLIC BEVERAGES FOR ON PREMISES CONSUMPTION; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages within its territorial limits; and

WHEREAS, the City of Atlanta is authorized to regulate the hours within which establishments licensed to sell alcoholic beverages may sell such beverages; and

WHEREAS, Section 10-209 (c) and (d) currently authorizes certain establishments to engage in the sale of alcoholic beverages for on premises consumption on Sunday between the hours of 12:30 p.m. and 12:00 midnight; and

WHEREAS, Section 10-209 (c) and (d) currently authorizes certain establishments to engage in the sale of alcoholic beverages for on premises consumption on Monday between the hours of 9:00 a.m. and 4:00 a.m. the following day; and

WHEREAS, Section 10-209 (c) and (d) currently authorizes extended hours of operation at certain establishments to engage in the sale of alcoholic beverages for on premises consumption on Sunday between the hours of 12:30 p.m. and 4:00 a.m. the following day in recognition of New Years Eve, St. Patrick's Day, Memorial Day, Independence Day and Labor Day; and

WHEREAS, Section 10-209 (c) and (d) currently authorizes that anytime December 31st falls on a Sunday, all establishments licensed to engage in the sale of alcoholic beverages for on premises consumption may engage in the sale of alcoholic beverages between the hours of 12:01 a.m., Monday, January 1st and 4:00 p.m., Monday, January, 1st; and

WHEREAS, the City of Atlanta recognizes the need to represent the expressed interests of its citizens, visitors, and licensed establishments in celebrating special events of such a festive nature; and

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WHEREAS, the City of Atlanta is the host city for the National Basketball Association's 52nd Annual All Star Basketball Game; and

WHEREAS, the National Basketball Association's 52nd Annual All Star Basketball event is scheduled to begin on Thursday, February 6, 2003 and culminate with the All Star Basketball Game on Sunday, February, 9, 2003; and

WHEREAS, the All Star Basketball Game is scheduled at Phillips Arena for Sunday, February, 9, 2003 at 8:00 p.m. and is scheduled to end at approximately 11:00 p.m.; and

WHEREAS, a multitude of licensed establishments have expressed an interest in modifying the current allowable hours of operation at their establishments so as to accommodate the festive nature of this special and unique event; and

WHEREAS, the City of Atlanta recognizes that a modification of the hours of operation at licensed establishments on Monday, February 10, 2003 will serve to create additional revenue for the city and its licensed establishments; and

WHEREAS, the modification of the hours of operation for this special event will allow citizens and visitors an opportunity to patronize a myriad of venues within the City of Atlanta.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1.

The provisions of Section 10 - 209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia are hereby waived in part in this instance only, for the sole purpose of allowing all establishments licensed to engage in the sale of alcoholic beverages for which they are appropriately licensed for on premises consumption, to engage in the sale of alcoholic beverages between the hours of 12:01 a.m., Monday, February 10, 2003 and 4:00 a.m., Monday, February 10, 2003.

Section 2.

All licensed premises described above shall be required to be closed to the public and the premises cleared of patrons within thirty minutes after the 4:00 a.m. time set for discontinuance of the sale of alcoholic beverages on the premises on Monday, February 10, 2003.

Section 3.

All code sections, ordinances, and parts of code sections and ordinances in conflict herewith are hereby waived for the sole purpose of this ordinance only and shall otherwise remain in full force and effect.