AN ORDINANCE

04- O -1256

BY COUNCILMEMBER ANNE FAUVER

AN ORDINANCE TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA SO AS TO EXPAND THE LIST OF COUNTIES IN WHICH THE HOLDER OF AN ALCOHOL LICENSE MAY BE RESIDENT AS FOUND IN SECTION 10-51; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating, through the lawful exercise of its police powers, the sale of alcoholic beverages in order to provide for the safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, the Public Safety/Legal Administration Committee of the Atlanta City Council formed a task force, known at the Alcohol Technical Advisory Group (ATAG), to undertake the review of the alcohol licensing code; and

WHEREAS, ATAG has completed a review of several areas of the alcohol licensing code and recommends approval of this ordinance; and

WHEREAS, the City of Atlanta has been and continues to be a burgeoning international city and destination for visitors from throughout the region, nation and world; and

WHEREAS, the City of Atlanta is involving itself in many activities throughout the metro region and is taking on a greater role in the economic vitality of the metro region; and

WHEREAS, the City recognizes that it is an attractive location for many residents in counties surrounding the City to open and operate establishments holding alcohol licenses; and

WHEREAS, in recognition of its regional status and the ever-increasing breadth of its influence on and need to allow business owners to live in counties further outside the boundaries of the City and into the metropolitan region than the five counties most-immediately bordering the City of Atlanta proper, the City now wishes to expand the list of counties in which an alcohol licensee must be resident to the thirteen counties generally recognized as being in the metro region.

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

Section 1.

That Chapter 10, Article II, Division 2, Section 10-51(a) be amended to delete the current language and to insert in lieu thereof the following language:

Section 10-51. Citizenship, residence requirements.

(a) Sale of malt beverages or wine. No license for the sale of malt beverages or wine or the operation of a bottle house shall be issued to any person unless the licensee is a resident of metropolitan Atlanta, which is defined as including Fulton, DeKalb, Cobb, Clayton, Gwinnett, **Paulding, Henry, Cherokee, Douglas, Rockdale, Fayette, Coweta and Forsyth** Counties. The person must also be a citizen of the United States or an alien lawfully admitted for permanent residence.

Section 2.

The terms and conditions of this ordinance shall apply to all licenses, whether new or renewal, applied for after the enactment of this Ordinance.

Section 3.

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