

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF SANTA CLAUS GEORGIA, TO ALLOW FOR SUNDAY PACKAGE SALES OF MALT BEVERAGES, WINE AND DISTILLED SPIRITS; TO AUTHORISE A REFERENDUM; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

✓HEREAS, the City of Santa Claus, Georgia, is charged with providing for the health, safety and welfare of the citizens of the City; and

✓HEREAS, the City is authorized to regulate package sales of alcohol beverages in the City, and, until recently, sale of same was not authorized on Sunday, and

✓HEREAS, Sec. 3-3-7 (q)(1) of the Official Code of Georgia Annotated, authorizes package sales of malt Beverages, wine and distilled spirits to be sold on Sundays in any local government jurisdiction that desires to place same on a referendum for a vote on a general election ballot and the Referendum for a vote on a general election ballot and the referendum receive a majority Approval; and

✓HEREAS, that in order to place the question on a referendum, a local governing authority must pass a Resolution or Ordinance permitting sales of alcohol on Sunday between the hours of 12:30 p.m. and 11:30 p.m., and forward a certified copy of same to the Elections Superintendent for placing on the ballot, and

✓HEREAS, the City Council desires to amend City Code to provide for Sunday sales of malt beverages, wine and distilled spirits and desires to place the question for a referendum on the MAY 20th, 20 14, election ballot.

HEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF SANTA CLAUS, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION ONE

That the Code of Ordinances, of the City of Santa Claus, is hereby amended to read as follows:

Days and hours of closing.

No licensee shall sell or offer for sale any alcoholic beverage at any of the following times:

- (1) On any day or during any time of day when such sales are prohibited by state law;
- (2) On Sundays except between the hours of 12:30 p.m. and 11:30 p.m.;
- (3) At any time in violation of a local ordinance or regulation or of a special order of the council;
- (4) On Monday through Friday after 2:00 a.m. or before 8:00 a.m.; on Saturday after 12:00 midnight or before 8:00 a.m.
- (5) At any time on Christmas Day;
- (6) On premises consumption on Thanksgiving Day after 2:00 a.m. or before 6:00 p.m.

- (7) Notwithstanding any provision otherwise contained in this article, no retail dealer shall sell or offer for sale any distilled spirits in violation of Department of Revenue Rule 560-2-3-.38. This subsection shall not contradict or supersede any such revenue department or regulation."

SECTION TWO

Upon adoption of this Ordinance, the same shall be forwarded to the City's Elections Superintendent for inclusion on May 20th, 20 14 election ballot as a question as follows:

- () Yes Shall the governing authority of the City of Santa Claus be authorized to permit and
() No regulate package sales by retailers of malt beverages, wine, distilled spirits on Sundays between the hours of 12:30 p.m. and 11:30 p.m.

SECTION THREE

That the Elections Superintendent is further authorized and directed to place an advertisement in The Advance newspaper once a week for four weeks prior to the date of the May 20th, 20 14 election, where the above question shall be placed on the ballot, stating the date and purpose of this Referendum to be placed on the ballot in the advertisement.

SECTION FOUR

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

SECTION FIVE

This Ordinance shall become effective on June 1st, 20 14, so long as the Referendum authorized by this Ordinance is approved by the Department of Justice, if necessary, and by the majority of the voters on May 20th, 20 14, Election Ballot. If the Referendum is not approved by a majority of the voters, this Ordinance shall be null and void.

SO ORDAINED, this 21st day of January, 20 14.

Approved:



Mayor

ATTEST:



City Clerk (SEAL)