

1 **STATE OF GEORGIA**
2 **COUNTY OF FULTON**
3 **CITY OF SOUTH FULTON**

4
5 **AN ORDINANCE AMENDING TITLE 16, ALCOHOLIC BEVERAGES, OF THE CITY**
6 **CODE OF ORDINANCES PERTAINING TO ENTERTAINMENT AT ON-PREMISES**
7 **CONSUMPTION ESTABLISHMENTS; ENHANCING PUBLIC SAFETY AND FOR**
8 **OTHER LAWFUL PURPOSES.**

9 **(Sponsored by Mayor Edwards)**

10
11 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

13
14 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and
15 Council thereof ("City Council");

16 **WHEREAS**, the Georgia Alcoholic Beverage Code (O.C.G.A. § 3-1-1 et al.)
17 regulates state-wide alcoholic beverage related activities in the State of Georgia;

18 **WHEREAS**, the City Council wishes to update City alcohol regulations; and

19 **WHEREAS**, this Ordinance is in the best interests of the health and general
20 welfare of the City, its residents and general public.

21 **THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as
22 follows:

23
24 **Section 1:** The City of South Fulton Code of Ordinances, Title 16, Alcohol
25 Beverages, Chapter 2, Licensing, is hereby amended by adding a new Subsection 16-
26 2003.1, Entertainment at on premises consumption establishments, which shall read as
27 follows:

28
29 **TITLE 16 - ALCOHOLIC BEVERAGES**

30 **CHAPTER 2 - LICENSING**

31 ...

32 **Sec. 16-2003.1. - Entertainment at on premises consumption establishments.**

33 (a) Bands, orchestras, pool tables, musical entertainment and/or patron dancing shall
34 only be permitted at an alcohol licensed consumption on the premises
35 establishment if the following conditions are met:

- (1) Adequate space exists after consideration of required NFPA occupancy and seating;
- (2) All fire and safety regulations are met;
- (3) The appropriate license fee has been fully paid;
- (4) The location installs and maintains security cameras in a secure location of a type and number approved by the chief of police. Such cameras:
- i. Shall be capable of producing a retrievable image on film, tape, or any readable medium that can be made a permanent record and enlarged through projection or other means;
 - ii. Shall be maintained in proper working order at all times and shall be subject to periodic inspection by the chief of police or his designee. If a robbery or other crime occurs in such outlet, the film or tape recording of such event shall immediately be made available to the chief of police or his designee;
- (5) No more than six pool tables are located in the establishment; and
- (6) The musical entertainment at the establishment may not be heard from a distance of more than 100 feet from the front and/or back doors of the establishment.
- (b) Alcohol licensed consumption on the premise establishments which offer patron dancing and musical entertainment shall have at least two paid security officers, who are certified, registered and/or licensed by the state to provide security services, on duty, daily from 6pm until the close of business.

Section 2.

- a. **Effective Date:** This Ordinance shall go into effect forty-five (45) days from the date of adoption.
- b. **Instruction to Police Department:** The City Police Department shall provide copies of this Ordinance to all licensed consumption on premise establishments within ten (10) days of the adoption of this Ordinance.

Section 3. It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

Section 4. All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

Section 5. The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

The foregoing Ordinance No. 2020-xxx was moved for approval by Councilmember _____ . The motion was seconded by Councilmember _____ , and being put to a vote, the result was as follows:

AYE

NAY

William "Bill" Edwards, Mayor
Carmalitha Gumbs, Mayor Pro Tem
Catherine Foster Rowell
Helen Zenobia Willis
Gertrude Naeema Gilyard
Corey Reeves
khalid kamau
Mark Baker

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

THIS ORDINANCE so adopted this _____ day of _____ 2020. **CITY OF SOUTH FULTON, GEORGIA.**

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

CORY E. ADAMS, INTERIM CITY CLERK

APPROVED AS TO FORM:

EMILIA C. WALKER, CITY ATTORNEY