Agenda
City of Clarkesville
Council Called Meeting
5:30 PM June 15, 2023

1. *Call to Order*

2. *Unfinished Business*

   2a. *Discuss and vote on new Bar and Tavern Ordinance*

3. *Public Comment*

4. *Adjourn*

CITY OF CLARKESVILLE

AN ORDINANCE OF CITY OF CLARKESVILLE, GEORGIA AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES TO PROVIDE FOR ISSUING LICENSES FOR SALE OF DISTILLED SPIRITS, MALT BEVERAGES, AND / OR WINE BY THE DRINK FOR CONSUMPTION ON THE PREMISES UNRELATED TO FOOD SERVICES, REGULATIONS RELATED TO SUCH BUSINESSES, AND TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Chapter 6 is amended by adding new content to Chapter 6 of the Code of Ordinances of the City of Clarkesville in the specific sections below so that Chapter 6 will include the following provisions:

Sec. 6-2. Definitions

Bar or Tavern shall mean any permanent physical location within the Downtown Entertainment District at which a licensed retailer derives 75% or more total annual gross revenue from the sale of alcoholic beverages for consumption on the premises and may serve meals to be consumed on the premises and which also may provide live entertainment but food consumption and sale is not required. No Bar or Tavern shall permit any patron under the age of 21 within their establishment.

Sec. 6-28. Same--Types issued.

(8) **Bar or Tavern**

Sec. 6-180. Type of retail establishment; where permitted.

(a) Except as otherwise specifically provided herein, no malt beverages or wine shall be sold for consumption off the premises except in sites located in nonresidential zones and that meet the following criteria:

(1) Such an establishment is in the business of retail sale of items of tangible personal property (merchandise); and

(2) The monthly receipts for such business from the sale of merchandise other than malt beverages and wines will exceed 75 percent of the total monthly receipts of such business from the sale of all merchandise including alcoholic beverages.

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(c) A licensee that also currently holds a valid "Bar and Tavern License" may be permitted to obtain a separate license from the City Council for the sale of Wine for consumption off the premises and such licensee shall not otherwise be required to comply with the provisions of Sec. 6-180 (a), (b) but must still comply with all other applicable provisions herein unless otherwise exempted.

Sec. 6-203. Type of retail establishment; where permitted.

(3) Bar or Tavern must have a permanent physical location located within the Downtown Entertainment District, be a public place kept, used, maintained, advertised and held out to the public as a place of business, and such place being provided with adequate and sanitary facilities as specified by the County Health Department. Any Bar or Tavern shall have a minimum seating capacity of 20 persons as certified by the City Fire Chief under all applicable building, fire, and safety codes. Such establishment must obtain all necessary and appropriate state and local licenses for retail sale of distilled spirits, packaged malt beverages, and/or wines for consumption on the premises, and obtain from the City Council a separate Bar and Tavern license. There shall be no requirement that a Bar or Tavern licensee derive any percentage of its business from the sale of meals and food. No Bar or Tavern shall permit any patron under the age of 21 within their establishment.

Sec. 6-234. Type of retail establishment; where permitted.

(3) Bar or Tavern must have a permanent physical location located within the Downtown Entertainment District, be a public place kept, used, maintained, advertised and held out to the public as a place of business, and such place being provided with adequate and sanitary facilities as specified by the County Health Department. Any Bar or Tavern shall have a minimum seating capacity of 20 persons as certified by the City Fire Chief under all applicable building, fire, and safety codes. Such establishment must obtain all necessary and appropriate state and local licenses for retail sale of distilled spirits, packaged malt beverages, and/or wines for consumption on the premises, and obtain from the City Council a separate Bar and Tavern license. There shall be no requirement that a Bar or Tavern licensee derive any percentage of its business from the sale of meals and food. No Bar or Tavern shall permit any patron under the age of 21 within their establishment.

Sec. 6-237. Package sales of Wine and Malt Beverages permitted by Bar and Tavern licensee.

Persons holding a Bar and Tavern license to sell distilled spirits for consumption on the premises shall not shall not be permitted to sell or distribute any distilled spirits by the package or bottle but may be permitted to obtain a separate license from the City Council for the sale of Wine and / or Malt Beverages for consumption off the premises.

Sec. 6-281. Retail sale of merchandise requirement, food sale requirement, and consumption sales only inapplicable. The requirements of Sec. 6-180, Sec. 6-203, and Sec. 6-206 of this Chapter of the City of Clarkesville Code of Ordinances shall not apply to farm winery tasting rooms and Bars or Taverns.

ARTICLE XIV. Bars or Taverns

Sec. 6-286. License Requirements

(a) Notwithstanding any other provisions of this chapter to the contrary, the City Clerk is authorized to issue a Bar or Tavern license to businesses:

(1) Located in the Downtown Entertainment District

(2) Which meet all other license requirements set forth in this chapter; and

(3) Which operates as a Bar or Tavern

ARTICLE XV. EXCISE TAXES

Incorporate sections 6-297 – 303 as written.