

COUNTY OF WALKER
STATE OF GEORGIA

ORDINANCE NO. O-04-18

AN ORDINANCE AMENDING CHAPTER 6 OF THE COUNTY CODE OF ORDINANCES ON ALCOHOL; TO EFFECTUATE REFERENDA ON THE SALE OF ALCOHOL ON SUNDAYS; TO PROVIDE FOR PROCEDURES FOR COMPLIANCE; AND FOR OTHER SUCH PURPOSES

WHEREAS, the Sole Commissioner of Walker County is the county governing authority for Walker County, Georgia (1939 Georgia Laws No. 39); and

WHEREAS, on November 6, 2018, Walker County voters approved a referendum to allow the Walker County governing authority to regulate the sale of distilled spirits by the package on Sundays in accordance with O.C.G.A. § 3-3-7 (p).; and

WHEREAS, on November 6, 2018, Walker County voters approved a referendum to allow the Walker County governing authority to regulate the sale of distilled spirits by the drink on Sundays in accordance with O.C.G.A. § 3-3-7 (j); and

WHEREAS, the favorable result demonstrates the desire of citizens to establish more permissive ordinances pertaining the purchase of alcoholic beverages on Sundays; and

WHEREAS, additional revenue from sales tax resulting from the sale of beverages on Sundays will provide additional revenue to county government aside from property taxes; and

THEREFORE BE IT ORDAINED BY THE COMMISSIONER AS FOLLOWS:

Sec. 6-51 of Chapter 6 of the Walker County Code of Ordinances shall be amended as follows:

Licensees for on-premises consumption of malt beverages, wine, and/or distilled spirits shall not engage in the sale of same except between the hours of 8:00 a.m. through 12:00 a.m. midnight on Monday through Thursday and 8:00 a.m. through 1:00 a.m. on Friday and Saturday and 11:00 a.m. through 12:00 midnight on Sunday. Licensees for package sales of malt beverages and/or wine may engage in sales Monday through Saturday 24 hours per day and Sunday from 12:30 p.m. through 11:30 p.m. Provided however, there shall be no sales of alcoholic beverages on any day on which sales of alcoholic beverages are prohibited by the laws of the State of Georgia.

Sec. 6-52 of Chapter 6 of the Walker County Code of Ordinances shall be amended as follows:

(a) The annual retail licence fee and tax for all persons in the unincorporated areas of Walker County for the sale of malt beverages and wine, shall be ~~as follows:~~

- (i) ~~Package only \$500.00~~
- (ii) ~~Retail sales for consumption upon premises \$600.00~~ set forth in the county fee schedule.

(b) The annual wholesale license for the various malt beverage and wine licenses for unincorporated areas of Walker County, shall be ~~as follows:~~

- (i) ~~Wine \$100.00~~
- (ii) ~~Malt Beverage \$100.00~~ set forth in the county fee schedule.

(c) There shall be an annual fee and tax for all persons in the unincorporated areas of Walker County for the retail sales for consumption upon the premises of distilled spirits ~~in the amount of \$2,000.00~~ set forth in the county fee schedule.

(d) The fee for a special event license for the unincorporated areas of Walker County shall be ~~as follows: \$300.00 per application, nonrefundable.~~ set forth in the county fee schedule.

(e) No license shall be issued for less than the 12 month fiscal year as herein provided, and in case of revocation or surrender of any license before the expiration of such calendar year, the holder thereof shall not be entitled to receive any refund whatsoever.

(f) The aforesaid license fees herein set shall not be pro-rated for any portion of a year and shall remain the full amount when said calendar year expires with regard to the time the application is made.

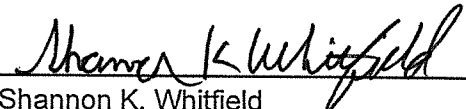
(g) The county governing authority shall have the authority to set the annual license fees contained in this section by resolution.

Sec. 6-81 of Chapter 6 of the Walker County Code of Ordinances shall be amended as follows:

The governing authority of the county shall appoint a ~~three~~ five member "Alcoholic Beverage Commission," independent of the county authority. Other than the appointment of the initial Alcoholic Beverage Commission, each member appointed shall serve a three year term from the date of his or her appointment. The Alcoholic Beverage Commission, by majority vote, shall designate one of its members as its "chairman." The chairman shall moderate all meetings of the Alcoholic Beverage Commission during his term of office, but shall have no executive functions or powers greater than the other members of the Alcoholic Beverage Commission. Upon designation by the board, the chairman shall serve as same for the remainder of his term

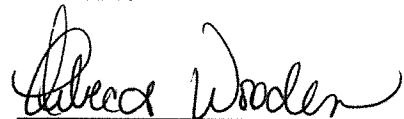
upon the board. The chairman may be removed ~~at any time~~ by majority vote of the board. However, the chairman must be given written notice of such meeting, sent at least twenty (20) days in advance thereof, setting forth the grounds for removal, and must be given the opportunity to be heard in person or by a representative. A quorum of three members of the Alcoholic Beverage Commission shall be necessary at any meeting for the transaction of any business.

PASSED AND ADOPTED THIS 27TH DAY OF DECEMBER, 2018.



Shannon K. Whitfield
Sole Commissioner
Walker County, Georgia

ATTEST:



Rebecca Wooden
Clerk of Walker County