

**COUNTY OF WALKER
STATE OF GEORGIA**

ORDINANCE NO. O-01-20

AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF WALKER COUNTY, GEORGIA REGARDING SALES OF ALCOHOLIC BEVERAGES; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ANY AND ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR OTHER PURPOSES

WHEREAS, Official Code of Georgia Annotated Section 3-3-21 has been amended to modify the distance requirements between sellers of alcoholic beverages and locations that are operated for certain purposes; and

WHEREAS, Walker County, Georgia desires to amend its alcohol ordinances to be consistent with the Official Code of Georgia;

THEREFORE BE IT HEREBY ORDAINED by the Walker County Sole Commissioner that the Code of Walker County Georgia is amended as follows:

1.

Sec. 6-8 (a) of the Walker County Code of Ordinances is deleted in its entirety and replaced with the following:

Sec. 6-8 - Grounds for denial of a license.

(a) Prohibited locations. With regard to the sale of malt beverages and wine by the package, it shall be unlawful to grant a license within the following areas of the county:

(1) within 300 feet of any school building, school grounds, or college campus, pursuant to O.C.G.A. Section 3-3-21(a) (1)(B);

(i) Nothing in this subparagraph shall prohibit a “grocery store”, as that term is defined in O.C.G.A. Section 3-3-21(a)(1)(B), licensed for the retail sale of only wine or malt beverages for consumption off the premises within 300 feet of any school building, school grounds, or college campus.

(ii) As used in this subparagraph, the term “school building” is defined as is set forth in O.C.G.A. Section 3-3-21(a)(2).

(2) within 300 feet of any licensed alcoholic treatment center, as that term is defined by O.C.G.A. Section 3-3-21(a)(1)(C);

(3) within 300 feet of any housing authority property, as that term is defined by O.C.G.A. Section 3-3-21(e); and

- (4) in any existing building or establishment having a history of prostitution or other sex offenses; fighting, shooting, or other violence; gambling; illegal dealing of alcoholic beverages or drugs; or other serious violations of the law.

2.

Sec. 6-93 of the Walker County Code of Ordinances is deleted in its entirety and replaced with the following:

Sec. 6-93. - License.

(A) An applicant for an on-premises consumption license shall be required to submit an application as is set forth in Division 1 of this Ordinance and pursuant to the requirements of O.C.G.A. Section 3-3-2.

(B) An application may be denied upon the grounds set forth in Section 8 or 9 of this Ordinance, except with regard to only on-premises consumption license, Sec. 6-8(a) is deleted in its entirety and replaced with the following:

(a) *Prohibited locations:* It shall be unlawful to grant a license for the sale of on-premises consumption of malt beverages, wine, or distilled spirits within the following areas of the county:

- (1) within 300 feet of any licensed alcoholic treatment center, as that term is defined in O.C.G.A. Section 3-3-21(a)(1)(C);
- (2) within 300 feet of any housing authority property, as that term is defined by O.C.G.A. Section 3-3-21(e); and
- (3) in any existing building or establishment having a history of prostitution or other sex offenses; fighting, shooting, or other violence; gambling; illegal dealing of alcoholic beverages or drugs; or other serious violations of the law.

3.

This ordinance is effective immediately upon its adoption.

4.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

5.

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED THIS 23RD DAY OF JANUARY, 2020.

Shannon K. Whitfield
Sole Commissioner
Walker County, Georgia

ATTEST:

Rebecca Wooden
Clerk of Walker County, Georgia