



Gordon County
Government

Annette Berry <aberry@gordoncounty.org>

Malt Beverages

1 message

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To: Annette Berry <aberry@gordoncounty.org>

Wed, Nov 29, 2017 at 3:04 PM

Annette,

Please add this item to the agenda: First Reading of Amendment to Ordinance Section 7-117(f) regarding building and location requirements for sale of malt beverages and wine.

Yours Truly,
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Malt Beverage Sec. 7_117. ___ Building_and_location_requirements..doc

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Sec. 7-117. - Building and location requirements.

- (a) No license shall be issued for a location not suitable in the judgment and discretion of the commission because of traffic congestion, general character of the neighborhood, or because of the effect such an establishment would have on adjacent and surrounding properties and neighborhoods.
- (b) No license shall issue for a location within an area where, in the judgment and discretion of the commission, the number of alcoholic licenses already granted makes it contrary to the public interest or welfare.
- (c) No license shall issue for a location at which the operation of such licensed business violates the zoning rules and regulations of Gordon County.
- (d) No license shall issue for a location where a previous license has been revoked or suspended and where, in the judgment of the commission, the problems which have arisen from the operation of a licensed business at such a location indicate that it is not in the interest of public health, safety, welfare or morals that the sale of alcoholic beverages be permitted at such a location.
- (e) No license shall issue for a location where it would violate state or local law, rules, regulations or ordinances.
- (f) No license shall issue for a location where the nearest point of the main structure of the business is located within one thousand (1,000) feet of the nearest point ~~of the main structure~~ of any school, public park, public recreation facility or church or the grounds, real estate, or property of any school, public park, public recreation facility or church. ~~The one thousand (1,000) foot distance shall be measured in a straight line between the closest point of the ~~two (2)~~ structure of the business and the closest point of the ~~structure~~ property line of the school, public park, public recreation facility or church.~~ The word "school" shall include kindergartens, primary and secondary schools, colleges and other educational institutions, whether public or private. In the event a school or church subsequently locates within one thousand (1,000) feet of a license premises, this provision shall not be applicable under such circumstances, and such an event would not cause a license holder to be in violation of this provision or prohibit the renewal ~~or transfer~~ of the license. As used in this section, a school shall mean any instructional premises including, but not limited to, main school buildings, auditoriums, gymnasiums, shops, laboratories, temporary mobile classrooms, outdoor classrooms, and recreational facilities, such as playgrounds, ball fields, and similarly used areas. A church shall mean any structure of any commonly recognized religion, denomination or sect regularly used for worship or religious instruction. As used in this section, the word "school" or "church" shall also mean the campus or grounds surrounding the school or church which constitute a part of the school or church properties. The word "school" or "church" shall also mean any real property which has been purchased by a school or church at the time of the application for an alcoholic beverage license and said property is to be used for a school or a church.
- (g) This distance requirement of one thousand (1,000) feet shall not apply to any business holding a valid license pursuant to the requirements of this section in operation at the time of this enactment of this article.
- (h) No license shall issue for any location in which the licensed premises contains a drive-in window for sale of alcoholic beverages.
- (i) The licensed premises shall be subject to inspection by the Gordon County Sheriff's Department, the Gordon County Environmental Health Department, and any other authorized personnel of the county at all times.
- (j) A consumption on the premises license shall be issued only to restaurants, hotels, nonprofit private clubs and veteran's organizations as defined herein.
- (k) Retail package licenses shall not be issued to restaurants or hotels. However, retail package licenses may be issued to nonprofit private clubs and veteran organizations. Ord. of 7-10-12, § XVI)