

AN ORDINANCE

NO.

An Ordinance amending Chapter 3 of the Columbus Code pertaining to alcoholic beverages to define Tour Service Alcohol Permits; to provide conditions for their operation and establish exceptions to the code sections pertaining to open containers and brown bagging of alcoholic beverages, and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Chapter 3 of the Columbus Code is hereby amended by adding a new code section 3-1(pp) which reads as follows:

“Section 3-1 **Definitions**

(pp) *Tour Service Vehicle* is a vehicle owned by a business licensed in Columbus, Georgia which is in the business of carrying passengers for hire or offering to carry passengers for hire through the streets in the Uptown Zoning District designated on the map below, when the primary purpose of such vehicle is not transportation but touring and sight-seeing, whether such vehicle is motorized or not.



The owner of any Tour Service Vehicle may apply for a Tour Service Alcohol Permit which will allow passengers to open and consume sealed alcoholic beverage containers of less than 16oz. in size while on the Tour Service Vehicle as long as the following conditions are met:

- 1) The owner of the Tour Service Vehicle must obtain a permit through the business license office of the Columbus Finance Department paying a regulatory fee of \$1,000 for each calendar year beginning January 1, 2023. The fee will cover all vehicles owned by the licensed business that are operated within the routes specified above.
- 2) At the time of obtaining the permit, the Owner will provide proof of liability insurance in an amount of at least \$500,000 per occurrence.
- 3) The operator of the Tour Service Vehicle will check the identification of all passengers boarding the Tour Service Vehicle with alcohol to ascertain that they are twenty-one years of age if the consumption of alcohol is to be permitted on the trip. When alcohol is to be permitted on a tour, the operator will display an indicator as specified by the Finance Department on the vehicle showing that the tour is one on which alcohol is permitted.
- 4) The operator of the Tour Service Vehicle will be responsible for ensuring that no passenger exits the Tour Service Vehicle with an open container of alcohol unless they are exiting into an area where open containers are permitted.
- 5) The operator of the Tour Service Vehicle will be responsible for ensuring that no passenger exits the vehicle in a drunk and disorderly manner.
- 6) In addition to any immediate action taken for violation for any other ordinance of the consolidated government, if it is established that there are more than five violations of the standards set forth above have occurred in a calendar year, then the Tour Service Alcohol Permit will not be available for renewal for the following calendar year.”

## SECTION 2.

Columbus Code Section 3-15 is hereby deleted in its entirety and replaced with a new Section 3-15 to read as follows:

**“Sec. 3-15. Open containers of alcoholic beverages, consuming alcoholic beverages in motor vehicles.**

It shall be unlawful for any person to consume alcoholic beverages or to have in his or her possession any open container or package of alcoholic beverages while aboard any motor vehicle operated or parked on any public street or public property or on any private property open to public access or vehicular traffic unless (i) such person is a passenger in a motor vehicle driven by a hired chauffeur or other driver which is licensed by the city to operate a motor vehicle for hire or is a passenger aboard a chartered carrier or a carrier wherein the possession or consumption of alcoholic beverages is allowed by law, (ii) a person is bringing a sealed container onto a Tour Service Vehicle as defined by Section 3-1 (pp)

when permitted by the driver of that vehicle, or (iii) such open container or package is in the trunk of the motor vehicle or kept in a locked glove compartment or in some other area of the vehicle not normally occupied by the driver or passengers; a container or package shall be deemed open when the original seal is broken, and any receptacle with an open top or with a straw shall be classified as an open container or package. Provided; however, nothing herein shall be construed to prevent the sale of mixed drinks by an on-premises licensee in an approved container for carryout in compliance with the requirements of O.C.G.A. § 3-3-11.”

SECTION 3.

Columbus Code Section 3-16 is hereby deleted in its entirety and replaced with a new Section 3-16 to read as follows:

**“Sec. 3-16. "Brown-bagging" prohibited.**

(a) No business shall permit persons, other than alcoholic beverage wholesalers or licensed caterers, to carry or bring alcoholic beverages onto its premises. This shall not include alcoholic beverages which are brought in sealed containers onto a Tour Service Vehicle as defined in Columbus Code Section 3-1 (pp)

(b) Notwithstanding subsection (a), licensees holding a valid brown-bagging permit as of November 1, 2003 shall be entitled to renew such permit by April 1 of each year, but such permits shall not be transferable to any other licensee, person, or business.”

SECTION 4.

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

SECTION 5.

This Ordinance shall become effective upon signature by the Mayor; however, the \$1,000 license fee for a Tour Service Alcohol Permit will not take effect until January 1, 2023.

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Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 6th day of December, 2022; introduced a second time at a regular meeting of said council held on the \_\_\_\_ day of \_\_\_\_\_, 2022 and adopted at said meeting by the affirmative vote of \_\_\_\_ members of Council.

- Councilor Allen        voting \_\_\_\_\_
- Councilor Baker       voting \_\_\_\_\_
- Councilor Barnes      voting \_\_\_\_\_
- Councilor Davis       voting \_\_\_\_\_
- Councilor Garrett     voting \_\_\_\_\_
- Councilor Huff        voting \_\_\_\_\_
- Councilor Thomas     voting \_\_\_\_\_

Councilor Tucker voting \_\_\_\_\_  
Councilor Woodson voting \_\_\_\_\_

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Sandra T. Davis  
Clerk of Council

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B.H. "Skip" Henderson, III  
Mayor