

AN ORDINANCE

NO.

An Ordinance amending Chapter 3 of the Columbus Code pertaining to alcoholic beverages to insert a new code section creating entertainment district(s) in which open containers of alcoholic beverages are permitted in certain circumstances; 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 3-15.1 which reads as follows:

**"Outdoor consumption of alcoholic beverages permitted—Entertainment District.** Notwithstanding the provisions of Columbus Code Section 14-5.1 of this Code, the consumption of alcoholic beverages on the streets, sidewalks, and certain other outdoor areas to which the public has access will be allowed in an entertainment district in accordance with the provisions set forth below:

(1) *For the purposes of this chapter only, an entertainment district is defined as follows:* A specifically authorized and pedestrian oriented area of the city established by this Ordinance, as it may from time to time be amended, that allows those establishments with valid alcohol licenses within such area to dispense and/or serve an alcoholic beverage for "carry out" purposes provided all other laws, rules and ordinances as well as the requirements of this code section are followed.

(2) *Sales for carry out.* Within the entertainment district, any establishment licensed to sell alcoholic beverages is authorized to dispense an alcoholic beverage for removal from the licensed premises, "carry out", so long as the beverage is in a shatter proof container that bears the commercially printed sticker or other method of identification required by the party designated as the responsible party for the entertainment district. No person shall remove more than one (1) such open container per person from the licensed premises at a time. This limitation shall not apply to sales of sealed containers by an establishment holding and off premises license.

(3) *Limited to one open container with maximum of 16 fluid ounces.* Within the entertainment district, no container in which an alcoholic beverage is dispensed and removed from the licensed premises and opened shall exceed 16 fluid ounces in size. No person shall hold in possession on the streets and sidewalks, right-of-ways, parking lots or in other public places within an entertainment district any open alcoholic beverage container which exceeds this size limit, nor shall any person be in possession of more than one open container at any time.

(4) *Drinking from shatter proof container.* It shall be unlawful within the entertainment district for any person to drink or attempt to drink any alcoholic beverage from a container that may shatter and/or create hazardous by breaking, or to possess or to possess such containers on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private. Patrons, guests or members of a licensee may not exit the licensed premises with open glass containers of alcoholic beverages. All alcoholic beverages sold for consumption outside the licensed premises shall be contained in shatter resistant containers

(5) *Purchase from licensed premises within the entertainment district only.* Alcoholic beverages consumed pursuant to this code section must be purchased from a licensed alcoholic beverage establishment within the entertainment district. Patrons, guests or members of a licensee in the district may exit the licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the district, but may not enter the interior of any business or other establishment open to the public in the district except a licensed on-premise establishment that sold the customer that "carry out" beverage. No alcoholic beverages purchased or brought from outside of the entertainment district shall be allowed in open containers in the entertainment district.

(6) *Consumption limited to certain areas in the entertainment district.* No alcoholic beverage purchased pursuant to this code section and opened within the entertainment district may be consumed outside of the entertainment district, and no alcohol may be taken into the interior of any private business establishment which is open to the public for business or recreational purposes within the entertainment district except those "carry out beverages" which were purchased at the same licensed establishment. Nothing in this ordinance or any resolution enacting a entertainment district shall be construed as to allow the possession or consumption of alcoholic beverages upon any sidewalk adjacent to a church or school or in city parks or

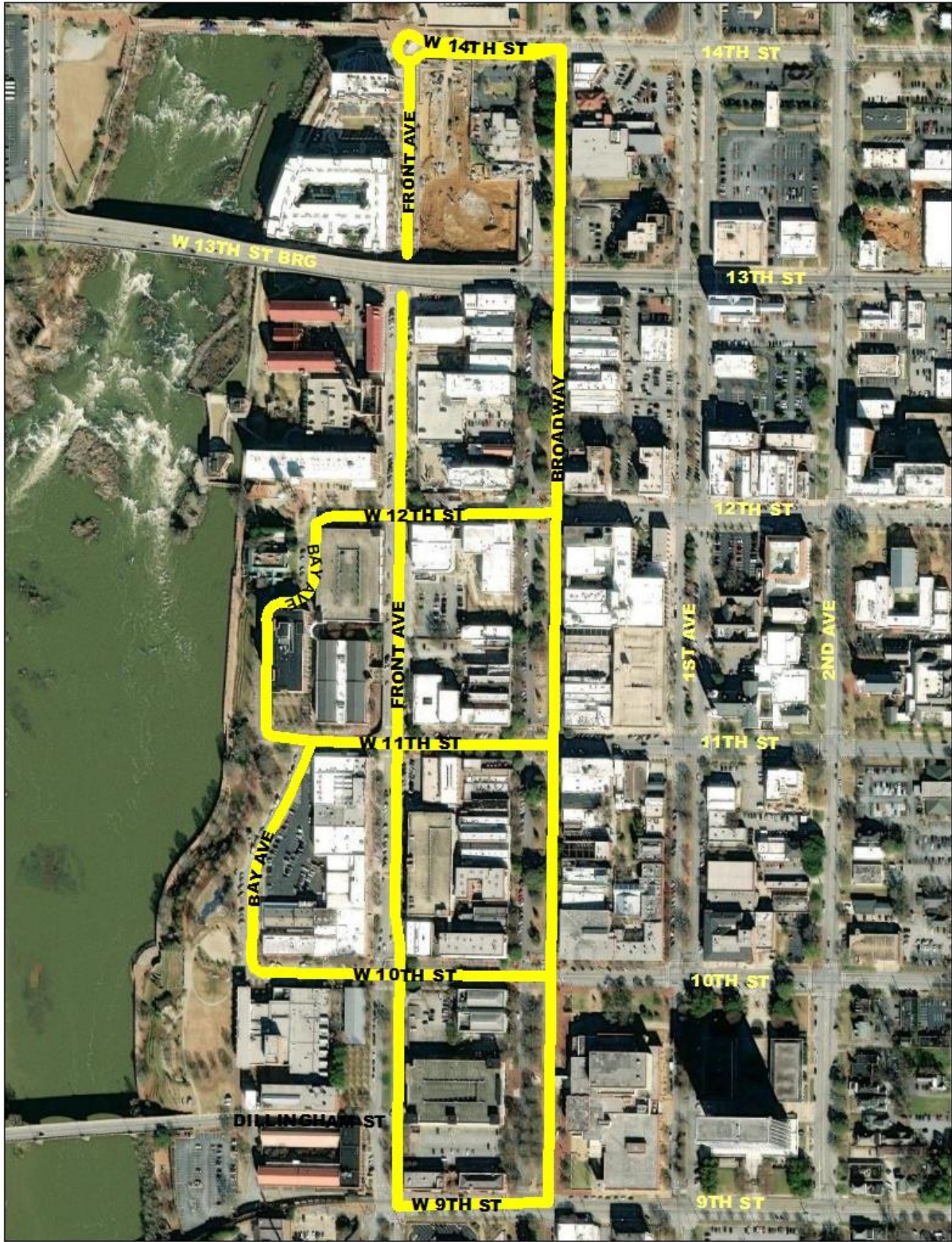
recreation buildings unless such areas are the subject of a special event permit approved by the Columbus Consolidated Government.

(7) *Lawful hours for open containers.* Unless authorized by a special event permit approved by the Columbus Consolidated Government, no alcoholic beverage purchased within the entertainment district pursuant to this provision shall be consumed within the entertainment district on the streets, sidewalks, rights-of-way, and/or parking lots, whether public or private, prior to 11:00 a.m. or later than 11:00 p.m., Sunday through Saturday.

(8) *Consumption of Alcoholic Beverages in a Motor Vehicle Except Tour Service Vehicles Prohibited.* It shall be unlawful for any person to consume any alcoholic beverages while in the confines of a motor vehicle while the motor vehicle is located upon any public street, parking lot or other place to which the public has or is permitted to have access within an entertainment district. Provided, however; open containers purchased in accordance with this code section will be permitted in Tour Service Vehicles as defined in Columbus Code Section 3-1(pp) operating in the Entertainment District. A Tour Service Vehicle shall be defined as "any vehicle engaged in the business of carrying passengers for hire or offering to carry passengers for hire, though any part of the entertainment District when the primary purpose of such vehicle is not transportation but touring and sight-seeing.

(9) *Boundaries of Established Entertainment Districts:*

A) Uptown Entertainment District—from the South side of 9<sup>th</sup> Street north to north side of 14<sup>th</sup> Street and from the east side of Broadway west to the West side of Bay Street and Front Avenue all as more particularly shown on the map attached below. Uptown Columbus, Inc. will be the responsible party for the distribution of commercial printed stickers or other means for identifying qualified open containers in this District.



SECTION 2.

Section 3-1. of the Columbus is hereby amended to add new Section 3-1(pp) to read 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 any part of an entertainment district designated by Columbus Code Section 3-15.1, when the primary purpose of such vehicle is not transportation but touring and sight-seeing, whether such vehicle is motorized or not."

SECTION 3.

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

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Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 11<sup>th</sup> day of October, 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	_____

\_\_\_\_\_  
Sandra T. Davis  
Clerk of Council

\_\_\_\_\_  
B.H. "Skip" Henderson, III  
Mayor