

## AN ORDINANCE

NO. \_\_\_\_\_

An ordinance amending Chapter 3 of the Columbus Code pertaining to the regulation of alcoholic beverages to create an on-premise license category for Senior Living Facilities; to extend the hours for non-alcohol retail sales establishments and for other purposes.

THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

### SECTION 1.

Columbus Code Section 3-1 is hereby amended by adding a new paragraph (n)(n) to that Section to read as follows:

“(nn) *senior living facility* means A facility holding a licensed for consumption on the premises which is designed for senior citizens and provides long term residential accommodations, food services and other amenities all under one roof.”

### SECTION 2.

Columbus Code Section 3-5 is amended by striking paragraphs (a), (c), and (k) and replacing those paragraphs with new paragraphs to read as follows:

“(a) It shall be unlawful to issue off-premises alcoholic beverage licenses within 200 feet of the following locations, and on-premises alcoholic beverage licenses within 300 feet of the following locations: Girls' clubs, boys' clubs, Y.M.C.A.'s, funeral chapels, city playgrounds; areas zoned SFR1, SFR2, SFR3, SFR4, RMF1, RMF2, and RMH; private residences, whether such residences be single-family, duplexes or apartments; but the provisions hereof concerning private residences and areas zoned SFR1, SFR2, SFR3, SFR4, RMF1, RMF2 and RMH shall not apply to a restaurant, or a hotel, or a senior living facility located within an area zoned H and shall not apply where a majority of the private residences within the prohibited distance are within an area zoned UPT, NC, GC, RO, LMI HMI or PMUD or where a majority of the land within the prohibited distance is zoned UPT, NC, GC, RO, LMI or HMI, or PMUD and where the applicant is a private club or the applicant's business is a hotel-motel or a restaurant or a non-alcohol retail establishment or a Senior Living Facility or where an off-premises alcoholic beverages license is to be issued. An off-premises license to sell malt beverages and wines may be issued, despite distance restrictions contained in this Code section, if the licensed premises are greater than 100,000 square feet and a majority of the land within 200 feet of the licensed premises is zoned UPT, NC, GC, RO, LMI or HMI. Owner and/or applicant managers and employees shall be responsible for keeping a clean, orderly place, and no patrons shall be allowed to stand, sit, mingle or assemble outside the building in parking lots or automobiles while drinking alcoholic beverages or causing a disturbance of any kind. For purposes of this chapter, "city playgrounds" means an area, owned by the city or other governmental agency, open to the general public for recreational purposes, which includes slides, swings, climbing apparatus, or similar equipment.

(c) It shall be unlawful to issue liquor and mixed drinks beverage licenses within 600 feet and to issue wine and malt beverage licenses within 300 feet of the grounds of any community teen center or any school or school playground, including church nursery schools, church day care centers and adjoining playgrounds; provided, however, where the applicant's business is a hotel or motel, or a restaurant, or a senior living facility, and the license applied for by such applicant for such business is for retail sale for consumption on the premises only, the prohibited distance for mixed drinks, wine or malt beverage licenses shall be 300 feet. For purposes of on-premises consumption licenses for beer, wine or mixed drinks, the term "school" does not extend to educational levels above the 12th grade.

(k) Notwithstanding the distance restrictions contained in this Code section, on-premises licensees holding alcoholic beverage licenses as a restaurant, hotel, bowling center, traditional restaurant, or non-alcohol retail establishment, or a senior living facility may be licensed under this chapter if located within 1,500 feet of the perimeter property line of the Columbus Airport and if located on a parcel zoned GC, CO, LMI, or HMI.”

### SECTION 3.

Columbus Code Section 3-12. is amended by striking paragraph (b) and replacing those it with a new paragraph (b) to read as follows:

“(b) The sale of alcoholic beverages for consumption by persons in any back room or side room which is not open to general public use is prohibited, except that private parties or conventions which have been scheduled in advance may be served in public or private dining rooms or meeting rooms, and provided further that this prohibition shall not apply to private clubs or senior living facilities as defined hereunder nor to the sale of alcoholic beverages for consumption hereunder to the registered guests of any hotel or motel or residents of the senior living facilities in their designated rooms or apartments.”

### SECTION 4.

Columbus Code Section 3-13.1 is amended by striking paragraph (c) and replacing those it with a new paragraph (c) to read as follows:

“(c) This section shall not be construed to prohibit persons under the minimum drinking age from entering restaurants as defined in 3-1(f), or from entering a club as defined in 3-1(h) or from entering a riverboat as defined in section 3-1(m), or entering a multi-purpose theater as defined in section 3-1(n), or entering a bowling center as defined in section 3-1(o), or entering a multi-purpose facility as defined in 3-1(v), or entering a municipal golf course as defined in 3-1(w), or entering a municipal sports facility as defined in 3-1(x), or entering a dinner theater as defined in 3-1(aa), or entering a senior living facility as defined in 3-1(nn).”

SECTION 5.

Columbus Code Section 3-1 is amended by striking paragraph (gg)(2) and replacing it with a new paragraph (gg)(2) to read as follows:

“(2) Events where alcohol sale or service is permitted on said business premises shall only take place between the hours of 12:00 p.m. and 12:00 a.m. Monday through Saturday, but this will in no way restrict the hours of operation for the dominant line of business when no alcohol sale or service is taking place.”

SECTION 6.

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 11<sup>th</sup> day of August, 2020; introduced a second time at a regular meeting of said council held on the \_\_\_\_ day of \_\_\_\_\_, 2020 and adopted at said meeting by the affirmation vote of \_\_\_\_ members of Council.

Councilor Allen	voting	_____.
Councilor Barnes	voting	_____.
Councilor Crabb	voting	_____.
Councilor Davis	voting	_____.
Councilor Garrett	voting	_____.
Councilor House	voting	_____.
Councilor Huff	voting	_____.
Councilor Thomas	voting	_____.
Councilor Thompson	voting	_____.
Councilor Woodson	voting	_____.

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

\_\_\_\_\_  
B.H. “Skip” Henderson, III  
Mayor