

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES. CHAPTER 4 – ALCOHOL BEVERAGES. ARTICLE I. – IN GENERAL. DIVISION 1. GENERALLY. SECTION 4-1 DEFINITIONS. Hotels or motels, paragraph 5, and Restaurant, paragraph 5 are amended by deleting the said paragraph definitions in their entirety replacing them, and adding the definition of Third Quarter Report all as indicated below.

1.

Sec. 4-1. – Definitions.

Hotel or motel

- (5) Which derives at least forty-five (45) percent of its gross income from the sale of such meals prepared, served and consumed on the premises. Cover charges cannot be included in determination of gross income from food sales. The director of planning and development or his/her designee shall review the gross income figures from each establishment which shall provide such information, at the end of the third quarter of each calendar year, or at any other time requested to do so by the director of planning and development or his/her designee. The report shall cover the period from October 1 of the preceding year to September 30 of the current year. The purpose of said report is to determine if the annual sales meet the required ratio and make the appropriate recommendations to the alcohol control board. Hotels shall have the privilege of granting franchises for the operation of a lounge, restaurant in their premises and the holder of such franchise shall be included in the definition of hotel.

Restaurant

- (5) Which derives at least forty-five (45) percent of its gross income from the sale of such meals prepared, served and consumed on the premises. Cover charges cannot be included in determination of gross income from food sales. The director of planning and development or his designee shall review the gross income figures from each establishment which shall provide such information, at the end of the third quarter of each calendar year, and at any other time requested to do so by the director of planning and development or his designee. This report shall cover the period of time from October 1 of the preceding year to September 30 of the current year. The purpose of said report is to determine if the annual sales meet the required ratio and make appropriate recommendations to the alcohol control board.

Third Quarter Report means reports required by the ordinance, which all on premises consumption license holders are required to submit covering their percentage of alcohol sales versus retail or food sales. The reports cover the period of time from October 1 of the preceding year to September 30 of the current year. The purpose of the report is to determine, based upon the establishment's gross sales, whether it is meeting the applicable sales ratios between malt beverage and wine, and distilled spirits, and either prepared food sales, or retail merchandise, as required for their license.

2.

All other existing provisions of Sec. 4-1 not changed herein, shall remain as is.

3.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention and any ordinance or part thereof not amended shall remain in effect and be unchanged.

BE IT AND IT IS HEREBY ORDAINED

FIRST READING: _____
SECOND READING: _____

ATTEST:

MATTHEW J. SANTINI, MAYOR

JULIA DRAKE, CITY CLERK