

**ORDINANCE
AMENDMENT
NO. OA - 2024 - 06**

CHAPTER 4 – ALCOHOLIC BEVERAGES

ARTICLE I. PURPOSE AND LICENSING

Sec. 4-3. – Qualifications for Licensing

and

Sec. 4-4. – The application process.

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and Council to adopt Ordinances to provide for rules and regulations concerning businesses operating within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; **AND**

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and the City Council, by ordinance, to regulate the licensing and sale of alcoholic beverages in the City of Dallas in compliance with O.C.G.A. §3-2-7.1 and use of the State of Georgia Centralized Alcohol Licensing Portal; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia considered the proposed amendment at a duly noticed public meeting on _____, 2024; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that this amendment is in the best interest of the City’s residents and for their safety, health and welfare and the public good; **AND**

THEREFORE, be it ordained by the Mayor and the City Council of Dallas, Georgia:

SECTION I.

That **CHAPTER 4 – ALCOHOLIC BEVERAGES, ARTICLE I. – PURPOSE AND LICENSING, Sec. 4-3. – Qualifications for Licensing.** is hereby amended as follows:

Sec. 4-3. Qualifications for Licensing.

- (a) To qualify for an alcoholic beverage license, an applicant shall meet the following:
- (1) Designate a managing agent that meets the defined qualifications in section 4-2. In the case of a non-profit private club, the managing agent may be an officer of the organization in lieu of a full-time employee if the individual is otherwise qualified.
 - (2) All licensed establishments must have and continuously maintain in Paulding County, Georgia a registered agent upon whom any process, notice or demand required or permitted by law or under this chapter to be served upon the licensee or owner may be served. This person must be a resident of Paulding County, Georgia. The licensee shall file the name of such agent, along with the written, notarized consent of such agent with the City of Dallas, Georgia in such form as may be prescribed.
 - ~~(3) Have a certificate of occupancy that has been issued by the City of Dallas, Georgia for the premises for which an alcoholic beverage license is sought.~~
- (b) Where the application is made on behalf of a corporation, partnership, limited liability corporation, limited liability partnership or sole proprietorship, the license shall be issued jointly to the organization and an individual that meets the qualifications of a managing agent.

AND;

That **CHAPTER 4 – ALCOHOLIC BEVERAGES, ARTICLE I. – PURPOSE AND LICENSING, Sec. 4-4. – The application process.** subsection (b) is hereby amended as follows:

- (b) All applications for licenses to sell alcoholic beverages of any kind shall be made ~~in person~~ through the State of Georgia Centralized Alcohol Licensing Portal by the applicant, directed to the City of Dallas, Georgia marshal or designee and shall contain but not be restricted to the following statements and information:
- (1) The name, age, address and length of residency of applicant.
 - (2) The name of the corporation, partnership, sole proprietorship, or other organization applying for the license. Said name shall include the legal name as well as the trade name of the business.
 - (3) A statement of whether the applicant or any person with an interest in the application has made application at any previous time for any alcoholic beverage license and the disposition of such application.
 - (4) Whether the applicant or any person with an interest in the application has ever been convicted of a crime, other than for traffic violations.
 - (5) Whether a previous license issued to the applicant or any person with interest in the application has been revoked by any state or subdivision thereof or by the federal government and the reason therefor.
 - (6) The identity of any other person interested directly or indirectly in the profits or losses or both of the proposed business.
 - (7) The physical address and detailed plans of such building and outside premises, and evidence of ownership of the building, or a document that evidences the right of the applicant to use the premises, including but not limited to a deed, lease, sublease, management agreement, concession agreement, shall be attached to the application.
 - (8) Every new application for a package license hereunder shall be accompanied by a drawing to scale, showing the nearest church, school or college or by the affidavit of a registered surveyor that the proposed location of the business complies with the distance requirements as specified in this chapter. Applications for renewal of licenses, or for premises that have been licensed in the preceding 12 months, are exempted from this subsection.

SECTION II. **REPEAL OF CONFLICTING ORDINANCES.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. **SEVERABILITY CLAUSE.** If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION IV. **EFFECTIVE DATE.** Following approval and passage of this ordinance by the Mayor and City Council, this ordinance shall be effective immediately upon signature.

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE ____ DAY OF _____, 2024.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

Candace Callaway, Councilmember

ATTEST:

Tina Clark, City Clerk
City of Dallas, Georgia

Date