

**ORDINANCE  
AMENDMENT  
NO. OA - 2025 – 04**

**AN ORDINANCE TO AMEND CHAPTER 4 – ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES OF THE CITY OF DALLAS, GEORGIA, TO LIMIT THE DENSITY OF RETAIL PACKAGE LIQUOR STORES WITHIN THE CITY LIMITS; TO PROVIDE FOR FINDINGS; TO PROVIDE FOR DEFINITIONS; TO PROVIDE FOR COMPLIANCE WITH EXISTING LICENSES; TO PROVIDE FOR ENFORCEMENT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Charter of the City of Dallas, Georgia empowers the Mayor and Council to adopt ordinances to provide for rules and regulations concerning the sale of alcoholic beverages within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; and

**WHEREAS**, pursuant to O.C.G.A. § 3-3-2, local governing authorities have broad discretionary powers to regulate the manufacturing, distribution, and selling by wholesale or retail of alcoholic beverages within their jurisdictions; and

**WHEREAS**, the City of Dallas desires to establish reasonable and ascertainable standards for the regulation and control of alcoholic beverages in a manner designed to promote the health, safety, and general welfare of the community; and

**WHEREAS**, the Mayor and Council of the City of Dallas, Georgia have determined that limiting the density of retail package liquor stores within the city limits is necessary to prevent the proliferation of such establishments and to protect the public health, safety, and welfare of the citizens; and

**WHEREAS**, the Mayor and Council find that this ordinance will promote the orderly development of commercial areas within the City.

**NOW, THEREFORE**, be it ordained by the Mayor and Council of the City of Dallas, Georgia, and it is hereby ordained by the authority thereof:

## **SECTION I - NEW ORDINANCE**

That the following ARTICLE X shall be added to Chapter 4 of the Dallas Code of Ordinances as follows:

### **Chapter 4 – ALCOHOLIC BEVERAGES –**

...

### **ARTICLE X. - RETAIL PACKAGE LIQUOR STORE DENSITY**

#### **Sec. 4-118. – Findings.**

The Mayor and Council of the City of Dallas, Georgia hereby find and declare that:

##### **A. Scientific Evidence Supporting Density Limitations**

1. **Public Health Research:** The Community Preventive Services Task Force, based on a systematic review of 39 studies, as well as recent studies by academic institutions found strong evidence that greater alcohol outlet density is associated with increased excessive alcohol consumption and related harms, including medical harms, injury, crime, and violence.
2. **Crime Reduction:** Research published in the Drug and Alcohol Review Journal demonstrates that areas with higher densities of alcohol outlets experience significantly higher rates of violent crime, with some studies showing a positive correlation between liquor store density and youth homicides among individuals aged 13-24.
3. **Community Safety:** Studies conducted by the University of California, Riverside found that reducing alcohol outlet density can provide significant relief from violence in and around neighborhood outlets, with each additional outlet license per 1,000 population associated with measurable increases in crime rates.
4. **Public Health Benefits:** The American Journal of Preventative Medicine has documented that alcohol outlet density regulation is an effective public health strategy, with communities implementing density control policies reporting measurable reductions in alcohol-related problems.

##### **B. Municipal Authority and Comparable Ordinances**

1. **State Law Authority:** Georgia law specifically grants municipalities broad authority under O.C.G.A. § 3-3-2 to regulate alcohol sales, including the power to limit the number and density of retail outlets.
2. **Comparable Municipal Practices:** Other Georgia municipalities have successfully implemented similar density limitations, including Fayetteville, Oakwood, Lilburn, Statesboro, and East Point.

### C. Community Protection Rationale

1. **Preventing Oversaturation:** Limiting liquor store density prevents the oversaturation of alcohol outlets that can lead to increased accessibility and consumption, particularly among vulnerable populations.
2. **Neighborhood Character:** Excessive concentrations of liquor stores can negatively impact neighborhood character, property values, and the overall business environment.
3. **Youth Protection:** High-density alcohol outlet areas are associated with increased underage drinking and related problems, requiring proactive measures to protect minors.
4. **Economic Development:** Balanced alcohol outlet distribution supports diverse economic development rather than creating areas dominated by alcohol sales.

### Sec. 4-119. - Definitions

For the purposes of this section, the following definitions shall apply:

*"Retail Package Liquor Store" or "Liquor Store"* means any retail establishment that derives fifty percent (50%) or more of its gross revenue from the sale of distilled spirits, wine, or malt beverages in unbroken packages for consumption off the premises.

*"Population"* means the most recent official population count for the City of Dallas, Georgia as determined by the United States Census Bureau decennial census or the most recent American Community Survey estimate published by the United States Census Bureau.

*"Density Calculation"* means the mathematical determination of the number of retail package liquor stores per capita within the city limits, calculated by dividing the total number of licensed retail package liquor stores by the current population and multiplying by 10,000.

*"Existing License"* means any valid retail package liquor store license issued by the City of Dallas, Georgia that is in effect on the effective date of this ordinance.

### Sec. 4-120 – Liquor Store Density Limitation

#### A. Population-Based Limitation

No more than one (1) retail package liquor store license shall be issued for every ten thousand (10,000) residents of the City of Dallas, Georgia. The total number of retail package liquor store licenses that may be issued at any time shall be calculated by dividing the current population of the City of Dallas by 10,000 and rounding down to the nearest whole number.

#### B. Calculation Method

1. The Marshal's Office shall calculate the maximum number of permitted retail package liquor stores annually based on the most recent population data available.
2. If the City's population is less than 10,000, no more than one (1) retail package liquor store license may be issued.
3. Population calculations shall be updated annually using the most recent official population estimates available from the Atlanta Regional Commission Census of data for 2025 or any such future census data. In the event the Atlanta Regional Commission does not publish census data, then the calculation required herein shall use the most recent data published by the United States Census Bureau.

#### C. Application of Limitations

1. This density limitation shall apply to all new applications for retail package liquor store licenses submitted after the effective date of this ordinance.
2. If the number of existing retail package liquor stores exceeds the population-based limitation on the effective date of this ordinance, no new licenses shall be issued until the number falls below the limitation through natural attrition.
3. Existing licenses that are surrendered, revoked, or allowed to expire shall count toward the density calculation and may be reissued in accordance with this ordinance.
4. The limitations imposed by this section shall be in addition to all other requirements specified in Sec. 8.27 of the City of Dallas UDC, and in Chapter 4 of this Code including, without limitation, the distance requirements imposed in sections 4-30, 4-70 and 4-80.

### **Sec. 4-121 – Compliance with existing licenses**

#### A. Grandfathering Provision

All retail package liquor store licenses validly issued and in effect on the effective date of this ordinance shall be deemed to be in compliance with this ordinance and may continue to operate and renew their licenses in accordance with all other applicable provisions of Chapter 4 of the Code of Ordinances.

#### B. Transfer and Renewal

1. Existing licenses may be renewed in accordance with the standard renewal procedures set forth in Chapter 4 of the Code of Ordinances.
2. Existing licenses may be transferred to new owners at the same location, subject to all other applicable requirements of Chapter 4 of the Code of Ordinances.
3. An existing license that is surrendered, revoked, or allowed to expire may be reissued for the same location or a different location, subject

to the density limitations set forth in this ordinance. This is in addition to any change in use, relocation and/or rezoning requirements of the City of Dallas UDC including the requirements in Sec. 8.27 of the UDC.

#### **Sec. 4-122 – Enforcement and Administration**

##### **A. Administrative Authority**

The City Marshal's Office shall be responsible for administering and enforcing the provisions of this ordinance in accordance with Chapter 4 of the Code of Ordinances.

##### **B. Application Review Process**

1. In addition to zoning and business licensing requirements found in the City's Code of Ordinances and/or UDC, all applications for new retail package liquor store licenses shall include a density compliance certification from the Marshal's Office.
2. The Marshal's Office shall maintain current records of all issued retail package liquor store licenses and the calculated population-based limitations.
3. No new license application shall be approved if issuing the license would exceed the density limitations established in this ordinance.

##### **C. Reporting Requirements**

The Marshal's Office shall provide an annual report to the Mayor and Council regarding the number of retail package liquor stores licensed within the city and compliance with the density limitations established herein.

#### **Sec. 4-123. – Exceptions and Special Circumstances**

##### **A. Temporary Licenses**

This ordinance shall not apply to temporary licenses or special event permits issued in accordance with Chapter 4 of the Code of Ordinances.

##### **B. Grocery Stores and Pharmacies**

This ordinance shall not apply to grocery stores, pharmacies, or other retail establishments where the sale of alcoholic beverages is incidental to the primary business, provided that such establishments derive less than fifty percent (50%) of their gross revenue from alcohol sales.

##### **C. Economic Development Consideration**

The Mayor and Council may consider requests for exceptions to the density limitations for bona fide economic development projects that serve a compelling public interest, provided that such exceptions are approved by a two-thirds (2/3) vote of the Mayor and Council and include appropriate conditions to mitigate any negative impacts.

## **Sec. 4-124. – Violations and Penalties**

### **A. Civil Penalties**

Any person who operates a retail package liquor store without proper licensing in compliance with this ordinance shall be subject to the civil penalties established in Chapter 4 of the Code of Ordinances.

### **B. License Revocation**

Any license issued in violation of this ordinance shall be subject to immediate revocation by the Mayor and Council.

### **C. Enforcement Authority**

The Marshal's Office shall have full authority to investigate potential violations of this ordinance and to initiate appropriate enforcement actions.

## **SECTION II - SEVERABILITY**

### **A. Severability Clause**

Should any section, subsection, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

### **B. Savings Clause**

All rights and remedies of the City of Dallas, Georgia are expressly saved as to any and all violations of the provisions of Chapter 4 of the Code of Ordinances that have accrued at the time of the effective date of this ordinance.

## **SECTION III. EFFECTIVE DATE AND CONFLICTING ORDINANCES**

### **A. Effective Date**

This ordinance shall take effect immediately upon its passage and adoption by the Mayor and Council of the City of Dallas, Georgia.

### **B. Conflicting Ordinances**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

INTRODUCED AND FIRST READ: \_\_\_\_\_, 2025

SECOND READ AND ADOPTED: \_\_\_\_\_, 2025

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE  
CITY OF DALLAS, GEORGIA, THIS THE \_\_\_\_ DAY OF  
\_\_\_\_\_, 2025.**

\_\_\_\_\_  
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