

ORDINANCE AMENDMENT

OA-2023-03

CHAPTER – 4 -ALCOHOLIC BEVERAGES

Article VII. Consumption on Premises of Alcoholic Beverages

Sec. 4-94 – consumption of alcohol on City streets and sidewalks in the entertainment district.

Sec. 4-95 – signage for entertainment district.

Sec. 4-96 – No abrogation of other laws.

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 consumption and sales of alcoholic beverages including beer, wine, and distilled spirits 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 Mayor and Council of the City of Dallas, Georgia have determined that it is in the best interest of the City’s residences for their safety, health and welfare including regulation of consumption and sales of alcoholic beverages including beer, wine and distilled spirits within the City of Dallas, Georgia, that Chapter 4 – Alcoholic Beverages, Article VII. Consumption on Premises of Alcoholic Beverages, Sec. 4-94 – Consumption of alcohol on city streets and sidewalks in the entertainment district, Sec. 4-95 Signage for entertainment district, Sec. 4-96 – No abrogation of other laws to be adopted.

THEREFORE, be it ordained by the Mayor and Council of the City of Dallas, Georgia that the Code of Ordinances of the City of Dallas, Georgia be amended as follows:

Sec. 4-94. Consumption of alcohol on city streets and sidewalks in the entertainment district.

Consumption of alcohol on city streets and sidewalks are allowed; limited to the entertainment district as set depicted below:

- (a) There is hereby established an "entertainment district" within the city wherein open containers of alcoholic beverages shall be permitted.
- (b) The Entertainment district shall consist of the area contained in the red portion of the map set forth herein above and as illustrated on the "entertainment district map", including the sidewalks, rights-of-way and buildings therein.



(c) The following regulations shall apply to this section:

- (1) Any establishment licensed to dispense alcoholic beverages by the drink for consumption on the premises is authorized to dispense alcoholic beverages in a clear plastic cup, for removal from the premises; provided, however, that no establishment shall dispense to any person more than one such alcoholic beverage at a time for removal from the premises.
- (2) In accordance with section 4-87, it shall be unlawful to remove open containers of alcohol from the entertainment district as described in this section.
- (3) No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size. No person shall hold in possession on the streets and sidewalks, in parks and squares, or in other public places within the defined area any open alcoholic beverage container containing alcohol which exceeds 16 fluid ounces in size.
- (4) It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle or glass or to possess in an open can, bottle, or glass any alcoholic beverage on the streets, sidewalks, rights-of-way, and parking lots, whether public or private.
- (5) Consumption of alcoholic beverages described in this section shall be limited to the hours of 9:00 a.m. to 12:00 a.m. (midnight) Monday through Saturday and 12:30 p.m. till 12:00 a.m. (midnight) Sunday, unless approved by mayor and council for a special event.
- (6) It shall be unlawful to consume any alcoholic beverage in the entertainment district, as described in this section, that was not purchased from a licensee consumption on premise business or licensed vendor.
- (7) Subsection (a) above does not apply to schools, churches, daycare facilities or anywhere private property owners or tenants do not allow it. A business may decline to allow an open container of alcoholic beverage on the premises by posting a sign that states, "Outside Drinks Not Allowed."
- (8) It shall be unlawful for any person to drink or attempt to drink or to transport or attempt to transport any alcoholic beverages in an open container in any part of a motor vehicle within the entertainment district.

Sec. 4-95. Signage for entertainment district

Any licensed establishment that allows patrons to leave an establishment with an alcoholic beverage as regulated herein shall have an 11-inch by eight and one-half inch sign posted at the door for public view whereas a patron exiting the establishment can read the following:

"All patrons leaving this establishment with an alcoholic beverage do hereby take full responsibility to only consume an alcoholic beverage served in a clear plastic cup not to exceed 16 ounces in size and obtained by an establishment licensed to sell alcoholic beverages in the entertainment district boundary outlined on the entertainment district map in section 4-95(b). Any individual that leaves the permitted area with an alcoholic beverage in an open container is in violation of City Code and may be subject to a citation and/or fine."

Sec. 4-96. No abrogation of other laws.

The provisions of this article shall not be deemed to abrogate or otherwise impact any state law or local ordinance pertaining to public drunkenness, disorderly conduct, driving with an open container or under the influence of alcohol, or similar laws.

All other existing Sections of Chapter 4 Alcoholic Beverages shall remain in full force and effect and this Amendment is to adopt the, Sec. 4-94 – consumption of alcohol on City Street and sidewalks in the entertainment district, Sec. 4-95 – signage for entertainment district, 4-96 – No abrogation of other laws.

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY
OF DALLAS, GOERGIA, THIS THE ____ DAY OF _____, 2023.**

JAMES KELLY, MAYOR

LEAH ALLS, Councilmember

NANCY ARNOLD, Councilmember

MICHAEL CASON, Councilmember

JAMES HENSON, Councilmember

COOPER COCHRAN, Councilmember

CHRISTOPHER CARTER, Councilmember

ATTEST:

TINA CLARK, CITY CLERK